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TABLE OF CONTENTS

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PROPOSED RULES

BANKS AND TRUST COMPANIES, COMMISSIONER OF Unimpaired Capital & Unimpaired Surplus 38 Ill. Adm. Code 335	13169
POLLUTION CONTROL BOARD	
Hazardous Waste Management System:General 35 Ill. Adm. Code 720	13173
Identification And Listing Of Hazardous Waste 35 Ill. Adm. Code 721	13184
Interim Status Standards For Owners And Operators Of Hazardous Waste Treatment, Storage And Disposal Facilities 35 Ill. Adm. Code 725	13242
Land Disposal Restrictions 35 Ill. Adm. Code 728	13257
Standards For Owners And Operators Of Hazardous Waste Treatment, Storage And Disposal Facilities 35 Ill. Adm. Code 724	13295
Standards For The Management Of Used Oil 35 Ill. Adm. Code 739	13310
UIC Permit Program 35 Ill. Adm. Code 704	13335
RACING BOARD, ILLINOIS	
Definitions 11 Ill. Adm. Code 210	13342
Pari-Mutuels 11 Ill. Adm. Code 405	13359
Programs 11 Ill. Adm. Code 415	13362
TRANSPORTATION, DEPARTMENT OF	
School Bus Brake Inspections 92 Ill. Adm. Code 447	13367

ADOPTED RULES

AGING, DEPARTMENT ON Community Care Program 89 Ill. Adm. Code 240	13375
CARNIVAL-AMUSEMENT SAFETY BOARD	
Carnival & Amusement Ride Inspection Law 56 Ill. Adm. Code 6000	13384

CONSERVATION, DEPARTMENT OF

Field Trials On Department-Owned Or Managed Sites	
17 Ill. Adm. Code 910	13425
White-Tailed Deer Hunting By Use Of Firearms	
17 Ill. Adm. Code 650	13431
White-Tailed Deer Hunting Season By Use Of Muzzleloading Rifles	
17 Ill. Adm. Code 660	13435

LOTTERY, DEPARTMENT OF

Lottery (General)	
11 Ill. Adm. Code 1770	13439

MOTOR VEHICLE THEFT PREVENTION COUNCIL, ILLINOIS

Public Information, Rulemaking And Organization	
2 Ill. Adm. Code 1720	13448

POLLUTION CONTROL BOARD

Water Use Designations And Site Specific Water Quality Standards	
35 Ill. Adm. Code 303	13457

TRANSPORTATION, DEPARTMENT OF

Aviation Safety	
92 Ill. Adm. Code 14	13461

PEREMPTORY RULES

CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF

Pay Plan	
80 Ill. Adm. Code 310	13476

NOTICE OF REQUEST FOR EXPEDITED CORRECTIONS

COMMERCE COMMISSION, ILLINOIS

Relocation Towing	
92 Ill. Adm. Code 1710	13499

NOTICE OF PUBLIC INFORMATION

BANKS AND TRUST COMPANIES, COMMISSIONER OF

Notice Of Acceptance Of An Application For Banc One Corporation, Columbus, Ohio To Acquire American Holding Co. Of Glencoe, Ill.	
.....	13504

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Second Notices Received	13505
-------------------------------	-------

EXECUTIVE ORDERS AND PROCLAMATIONS

EXECUTIVE ORDERS

94-6	Executive Order Creating An Advisory Panel On TRS Retiree Health Insurance	13508
------	---	-------

PROCLAMATIONS

94-414	Chicago International Children's Film Festival Week	13510
94-415	Lincoln Award For Business Excellence Established	13510
94-416	Merrill's Marauder's Association Day	13511
94-417	Mexican Independence Month	13511
94-418	Park District Conservation Day	13512
94-419	Dr. Dorothy Owens Day	13512
94-420	Eye Screening Day For Seniors	13513
94-421	Harambee Soiree Day	13513
94-422	Respect Life Week	13513
94-423	Rosehill Heritage Day	13514
94-424	Slovakia American Culture Day	13514
94-425	Theodora Mayo Day	13515
94-426	Pike County Farm Bureau Day	13515
94-427	Illinois State Fair Recognized	13515
94-428	Women's Equality Year/Women's Suffrage Month	13516
94-429	Pornography Awareness Week	13516
94-430	Springfield College In Illinois Day	13517
94-431	Veterinary Technician Week	13517
94-432	Eugene Haynes Recognized	13517

CUMULATIVE INDEX

1994 Index - Issue # 35	CI-1
-------------------------------	------

SECTIONS AFFECTED INDEX

1994 Index - Issue # 35	SAI-1
-------------------------------	-------

COMMISSIONER OF BANKS AND TRUST COMPANIES

NOTICE OF PROPOSED RULES

1) Heading of the Part: Unimpaired Capital and Unimpaired Surplus2) Code Citation: 38 Ill. Adm. Code 3353) Section Numbers:

335.10 New Section

335.20 New Section

335.30 New Section

4) Statutory Authority: Implementing Section 2 of the Illinois Banking Act, 205 ILCS 5/2 (1992), as amended by P.A. 88-546, effective June 29, 1994.

5) A Complete Description of the Subjects and Issues Involved: P.A. 88-546 amended Section 2 of the Illinois Banking Act to state that "unimpaired capital and unimpaired surplus," upon which lending and investment limits are based, shall include a bank's Tier 1 Capital and Tier 2 Capital "plus such other shareholder equity as may be included by regulation of the Commissioner." This Rule is necessary to inform banks as to the additional shareholder equity that is included in the definition of "unimpaired capital and unimpaired surplus." This Rule includes the balance of the allowance for loan and lease losses, otherwise excluded from the definitions of "Tier 1 Capital" and "Tier 2 Capital," as additional shareholder equity that is added to Tier 1 Capital and Tier 2 Capital in the calculation of a state-chartered bank's lending and investment limits.

6) Will this proposed rule replace an emergency rule currently in effect?
Yes.7) Does this rulemaking contain an automatic repeal date? No.8) Does this proposed rule contain incorporations by reference? Yes.9) Are there any other proposed amendments pending on this Part? No.10) Statement of Statewide Policy Objective: The proposed rule does not create a mandate on units of local government, school districts or community college districts. Only state banks are subject to this proposed rule.11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons who desire to comment on this proposed rulemaking may submit their comments in writing no later than 45 days after the publication of this Notice to:

Dale R. Turner
Assistant General Counsel
Commissioner of Banks and Trust Companies
310 South Michigan Avenue, Suite 2130

COMMISSIONER OF BANKS AND TRUST COMPANIES

NOTICE OF PROPOSED RULES

Chicago, Illinois 60604

12) Initial Regulatory Flexibility Analysis

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: The Department of Commerce and Community Affairs has determined that state banks are not small businesses. Therefore, the proposed rule was not submitted to the Business Assistance Office.

B) Types of small businesses affected: Small businesses are not affected by this rule.

C) Reporting, bookkeeping or other procedures required for compliance: N/A

D) Types of professional skills necessary for compliance: N/A

The full text of the Proposed Rule begins on the next page:

COMMISSIONER OF BANKS AND TRUST COMPANIES

NOTICE OF PROPOSED RULES

TITLE 38: FINANCIAL INSTITUTIONS
CHAPTER II: COMMISSIONER OF BANKS AND TRUST COMPANIES

PART 335

UNIMPAIRED CAPITAL AND UNIMPAIRED SURPLUS

Section

335.10 Purpose

335.20 Definitions

335.30 General Rule

AUTHORITY: Implementing Section 2 of the Illinois Banking Act [205 ILCS 5/2] (see P.A. 88-546, effective June 29, 1994).

SOURCE: Adopted at 18 Ill. Reg. _____, effective _____.

Section 335.10 Purpose

Section 2 of the Illinois Banking Act defines "unimpaired capital and unimpaired surplus" as including a bank's "Tier 1 Capital and Tier 2 Capital plus such other shareholder equity as may be included by regulation of the Commissioner." "Unimpaired capital and unimpaired surplus" is used as the basis for determining a state bank's legal lending and investment limits. The purpose of the Rule is to add the balance of a state bank's allowance for loan and lease losses, otherwise excluded from Tier 1 Capital and Tier 2 Capital, as additional shareholder equity included in "unimpaired capital and unimpaired surplus." This addition is consistent with the objective of P.A. 88-546 to permit state banks to use the same elements that national banks use in calculating lending and investment limits, and it will provide needed clarity and consistency regarding the calculation and application of lending and investment limits by state banks.

Section 335.20 Definitions

"Allowance for loan and lease losses" are reserves that have been established through a charge against earnings to absorb future losses on loans or lease financing receivables. Allowance for loan and lease losses exclude allocated transfer risk reserves, and reserves created against identified losses.

"Allocated transfer risk reserves" are reserves that have been established in accordance with Section 905(a) of the International Lending Supervision Act of 1983, 12 U.S.C. 3904 (1993), against certain assets whose value has been found by the United States supervisory authorities to have been significantly impaired by protracted transfer risk problems.

COMMISSIONER OF BANKS AND TRUST COMPANIES

NOTICE OF PROPOSED RULES

"Appropriate federal banking agency" shall have the meaning as defined in Section 2 of the Illinois Banking Act [205 ILCS 5/2] (see P.A. 88-546, effective June 29, 1994).

"Tier 1 Capital" and "Tier 2 Capital" shall have the meanings as defined in Section 2 of the Illinois Banking Act [205 ILCS 5/2] (see P.A. 88-546, effective June 29, 1994).

Section 335.30 General Rule

For the purposes of Section 2 of the Illinois Banking Act, "unimpaired capital and unimpaired surplus" shall include the balance of the state bank's allowance for loan and lease losses not included in the state bank's Tier 1 Capital and Tier 2 Capital.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Hazardous Waste Management System: General
- 2) Code citation: 35 Ill. Adm. Code 720
- 3) Section numbers: Proposed action:
720.111 Amendment
- 4) Statutory authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1022.4 and 1027 [415 ILCS 5/22.4 and 27].
- 5) A complete description of the subjects and issues involved:

A more detailed description is contained in the Board's Proposed Opinion of August 11, 1994, in 894-17, which Opinion is available from the address below. Section 22.4(a) of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1022.4(a)) [415 ILCS 5/22.4(a)] provides that Section 5 of the Administrative Procedure Act (Ill. Rev. Stat. 1991 ch. 127, par. 1005-35 and 1005-40) [5 ILCS 100/5-35 and 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

This rulemaking updates Parts 704, 720, 721, 724, 725, 728, and 739 of the Illinois RCRA Subtitle C hazardous waste rules to correspond with amendments adopted by U.S. EPA which appeared in the Federal Register during the period January 1 through June 30, 1994. During this period, U.S. EPA amended its regulations as follows:

Federal Action Summary

- | | |
|-----------------------------------|---|
| 59 Fed. Reg.
January 4, 1994 | 458,
Determination not to regulate wastes from wood surface protection as listed hazardous wastes; update of SW-846 to include a new method; addition of four chemicals to listing of hazardous constituents |
| 59 Fed. Reg.
February 18, 1994 | 8362,
Amendment of treatability study exclusion from definition of solid waste |
| 59 Fed. Reg.
March 4, 1994 | 10550,
Clarification of used oil regulations to clarify that used oil mixed with crude oil or natural gas liquids are exempted from the used oil regulations; exemption of crude oil mixed with small amounts of used oil that is destined for insertion into a refining process; exclusions for certain activities from regulation as used oil processing |

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- | | |
|--------------------------------|---|
| 59 Fed. Reg.
March 24, 1994 | 13891,
Amendment of handling codes for periodic T/S/D facility reports |
| 59 Fed. Reg.
June 2, 1994 | 28484,
Corrections to the wood surface protection determination amendments |
| 59 Fed. Reg.
June 7, 1994 | 29372,
Response to Supreme Court remand in <u>City of Chicago v. Environmental Defense Fund, Inc.</u> , -- U.S. --, 114 S. Ct. 1588, 128 L. Ed. 2d 302 (1994): U.S. EPA granted an extension for facilities managing waste-to-energy facility ash to file a Part A permit application. |
| 59 Fed. Reg.
June 10, 1994 | 29958,
Amendment of references to the prescribed form for a letter of credit Used for RCRA Subtitle C, underground injection, and underground storage tanks to indicate copyright |
| 59 Fed. Reg.
June 20, 1994 | 31551,
Correction of hazardous waste listing (P015), hazardous constituent listing, and land disposal restrictions listing for beryllium to beryllium powder |

The June 7, 1994 action constituted a U.S. EPA determination that a substantial confusion existed relating to the regulatory status of a waste, and it granted an extension of the time by which facilities managing the waste must file a Part A permit application. Although no Board action is required based on the June 7 federal action, we undertake an amendment to notify the regulated community of the change in law arising through the Supreme Court's decision and the U.S. EPA response.

Specifically, the segment of the amendments involved in Part 720 update the incorporation of SW-846 to the Third Edition. The Board also makes a small number of corrective revisions to the rules by changing the format of telephone numbers associated with obtaining the referenced documents.

- 6) Will this proposed rule replace an emergency rule currently in effect?
No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Do these proposed amendments contain incorporations by reference?
Yes. The existing text of the hazardous waste regulations incorporate numerous documents by reference. 35 Ill. Adm. Code 720.111 is the central listing of incorporations for all documents referred to throughout the text of the regulations. The present amendments update the incorporation of SW-846 to the Third Edition. The Board also makes a small number of

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

corrective revisions to the rules by changing the format of telephone numbers associated with obtaining the referenced documents.

9) Are there any other amendments pending on this Part? No.

10) Statement of statewide policy objectives:

This rulemaking is mandated by Section 22.4(a) of the Environmental Protection Act. The statewide policy objectives are set forth in Section 20 of that Act. This rulemaking imposes mandates on units of local government only to the extent that they may be involved in the generation, transportation, treatment, storage, or disposal of hazardous waste.

11) Time, place and manner in which interested persons may comment on this proposed rulemaking:

The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R94-17 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

Address all questions to Michael J. McCambridge, at 312-814-6924.

12) Initial regulatory flexibility analysis:

A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: August 16, 1994.

B) Types of small businesses affected:

The existing rules and proposed amendments affect small businesses which generate, transport, treat, store, or dispose of hazardous waste. The present amendments will have little impact on those businesses. The expansion of the treatability study exemption constitutes a regulatory relaxation for certain facilities engaging in hazardous waste treatability studies. The update to SW-846 substitutes updated methods for physical and chemical analysis for some existing methods, which could have minor impact on businesses engaging in analysis of these wastes. The listing of additional hazardous constituents should have little impact because U.S. EPA stated that no wood treatment presently uses these chemicals. The clarifications of the used oil regulations constitute a regulatory relaxation for certain petroleum refining facilities and petroleum

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

and natural gas pipeline facilities that manage used oil. The revised reporting codes and the copyright designation on the financial responsibility will affect businesses that must report or use the prescribed letter of credit form, but the impact of those revisions will likely be minimal.

C) Reporting, bookkeeping or other procedures required for compliance:

The existing rules and proposed amendments require extensive reporting, bookkeeping, and other procedures, including the preparation of manifests and annual reports, waste analyses, and maintenance of operating records. The present amendments will have little impact on those businesses. The expansion of the treatability study exemption constitutes a regulatory relaxation for certain facilities engaging in hazardous waste treatability studies. The update to SW-846 substitutes updated methods for physical and chemical analysis for some existing methods, which could have minor impact on businesses engaging in analysis of these wastes. The listing of additional hazardous constituents should have little impact because U.S. EPA stated that no wood treatment presently uses these chemicals. The clarifications of the used oil regulations constitute a regulatory relaxation for certain petroleum refining facilities and petroleum and natural gas pipeline facilities that manage used oil. The revised reporting codes and the copyright designation on the financial responsibility will affect businesses that must report or use the prescribed letter of credit form, but the impact of those revisions will likely be minimal.

D) Types of professional skills necessary for compliance:

Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist, and registered professional engineer.

The full text of the proposed amendments begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

PART 720

HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

U.S. A: GENERAL PROVISIONS

Section

720.101 Purpose, Scope and Applicability

720.102 Availability of Information; Confidentiality of Information

720.103 Use of Number and Gender

U.S. B: DEFINITIONS

Section

720.110 Definitions

720.111 References

U.S. C: RULEMAKING PETITIONS AND OTHER PROCEDURES

Section

720.120 Rulemaking

720.121 Alternative Equivalent Testing Methods

720.122 Waste Delisting

720.130 Procedures for Solid Waste Determinations

720.131 Solid Waste Determinations

720.132 Boiler Determinations

720.133 Procedures for Determinations

720.140 Additional regulation of certain hazardous waste Recycling Activities

on a case-by-case Basis

720.141 Procedures for case-by-case regulation of hazardous waste Recycling

Activities

APPENDIX A Overview of 40 CFR, Subtitle C Regulations

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective as noted in 35 Ill. Adm. Code 700.106; amended and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective as noted in 35 Ill. Adm. Code 700.106; amended in R82-19 at 7 Ill. Reg. 14015, effective Oct. 12, 1983; amended in R84-9, 53 PCB 131 at 9 Ill. Reg. 11819, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 968, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 13998, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20630, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6017, effective

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13435, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19280, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2450, effective January 15, 1988; amended in R87-39 at 12 Ill. Reg. 12999, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 362, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18278, effective November 13, 1989; amended in R89-2 at 14 Ill. Reg. 3075, effective February 20, 1990; amended in R89-9 at 14 Ill. Reg. 6225, effective April 16, 1990; amended in R90-10 at 14 Ill. Reg. 16450, effective September 25, 1990; amended in R90-17 at 15 Ill. Reg. 7934, effective May 9, 1991; amended in R90-111 at 15 Ill. Reg. 9323, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14446, effective September 30, 1991; amended in R91-13 at 16 Ill. Reg. 9489, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17636, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5625, effective March 26, 1993; amended at 17 Ill. Reg. 20545, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6720, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12160, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. _____, effective _____.

Section 720.111 References

a) The following publications are incorporated by reference:

ANSI. Available from the American National Standards Institute, 1430 Broadway, New York, New York 10018, +212+354-3300:

ANSI B31.3 and B31.4. See ASME/ANSI B31.3 and B31.4

ACI. Available from the American Concrete Institute, Box 19150, Redford Station, Detroit, Michigan 48219:

ACI 318-83: "Building Code Requirements for Reinforced Concrete", adopted September, 1983.

API. Available from the American Petroleum Institute, 1220 L Street, N.W., Washington, D.C. 20005, +202+682-8000:

"Guide for Inspection of Refinery Equipment, Chapter XIII, Atmospheric and Low Pressure Storage Tanks," 4th Edition, 1981, reaffirmed December, 1987.

"Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems," API Recommended Practice 1632, Second Edition, December, 1987.

"Installation of Underground Petroleum Storage Systems," API Recommended Practice 1615, Fourth Edition, November, 1987.

APT. Available from the Air and Waste Management Association, Box 2861, Pittsburgh, PA 15230, +412+232-3444:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

APTI Course 415: Control of Gaseous Emissions, EPA Publication EPA-450/2-81-005, December, 1981.

ASME. Available from the American Society of Mechanical Engineers, 345 East 47th Street, New York, NY 10017, #2127-705-7722:

"Chemical Plant and Petroleum Refinery Piping", ASME/ANSI B31.3 - 1987, as supplemented by B31.3a - 1988 and B31.3b - 1988. Also available from ANSI.

"Liquid Transportation Systems for Hydrocarbons, Liquid Petroleum Gas, Anhydrous Ammonia, and Alcohols", ASME/ANSI B31.4 - 1986, as supplemented by B31.4a - 1987. Also available from ANSI.

ASTM. Available from American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103, #2157-299-5400:

ASTM C94-90, Standard Specification for Ready-Mixed Concrete, approved March 30, 1990.

ASTM D88-87, Standard Test Method for Saybolt Viscosity, April 24, 1981, reapproved January, 1987.

ASTM D93-85, Standard Test Methods for Flash Point by Pensky - Martens Closed Tester, approved October 25, 1985.

ASTM D1946-90, Standard Practice for Analysis of Reformed Gas by Gas Chromatography, approved March 30, 1990.

ASTM D2161-87, Standard Practice for Conversion of Kinematic Viscosity to Saybolt Universal or to Saybolt Furol Viscosity, March 27, 1987.

ASTM D2267-88, Standard Test Method for Aromatics in Light Naphthas and Aviation Gasolines by Gas Chromatography, approved November 17, 1988.

ASTM D2382-88, Standard Test Method for Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High Precision Method), approved October 31, 1988.

ASTM D2879-86, Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, approved October 31, 1986.

ASTM D3828-87, Standard Test Methods for Flash Point of

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Liquids by Setaflash Closed Tester, approved December 14, 1988.

ASTM E168-88, Standard Practices for General Techniques of Infrared Quantitative Analysis, approved May 27, 1988.

ASTM E169-87, Standard Practices for General Techniques of Ultraviolet-Visible Quantitative Analysis, approved February 1, 1987.

ASTM E260-85, Standard Practice for Packed Column Gas Chromatography, approved June 28, 1985.

ASTM E926-88 C, Standard Test Methods for Preparing Refuse-Derived Fuel (RDF) Samples for Analysis of Metals, Bomb-Acid Digestion Method, approved March 35, 1988.

ASTM Method G21-70 (1984a) -- Standard Practice for Determining Resistance of Synthetic Polymer Materials to Fungi

ASTM Method G22-76 (1984b) -- Standard Practice for Determining Resistance of Plastics to Bacteria.

GPO. Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, #202 783 - 32387:

Standard Industrial Classification Manual (1972), and 1977 Supplement, republished in 1983

"Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," U.S. EPA Publication number SW-846 (Third Edition, September November, 1986), as amended by Update Updates I and IIA #55-001-00000-1 (Document Number 955-001-00000-1) (contact U.S. EPA, Office of Solid Waste, or MICE, as indicated below, for Update IIA).

MICE. Available from Methods Information Communication Service, at 703-821-4789:

"Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," U.S. EPA Publication number SW-846 (Third Edition, November, 1986), Update IIA (Document Number 955-001-00000-1) (contact GPO, as indicated above, for SW-846 and Update I).

NACE. Available from the National Association of Corrosion Engineers, 1400 South Creek Dr., Houston, TX 77084,

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

†713†-492-0535:

"Control of External Corrosion on Metallic Buried, Partially Buried, or Submerged Liquid Storage Systems", NACE Recommended Practice RP0285-85, approved March, 1985.

NFPA. Available from the National Fire Protection Association, Batterymarch Park, Boston, MA 02269, †617†-770-3000 or †800†-344-3555:

"Flammable and Combustible Liquids Code" NFPA 30, issued July 17, 1987. Also available from ANSI.

NTIS. Available from the U.S. Department of Commerce, National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, †703†-487-4600:

"Generic Quality Assurance Project Plan for Land Disposal Restrictions Program", EPA/530-SW-87-011, March 15, 1987. (Document number PB 88-170766.)

"Guidance on Air Quality Models", Revised 1986. (Document number PB86-245-248 (Guideline) and PB88-150-958 (Supplement)).

"Methods for Chemical Analysis of Water and Wastes", Third Edition, March, 1983. (Document number PB 84-128677).

"Methods Manual for Compliance with BIF Regulations", December, 1990. (Document number PB91-120-006).

"Petitions to Delist Hazardous Wastes--A Guidance Manual", EPA/530-SW-85-003, April, 1985. (Document Number PB 85-194488).

"Procedures Manual for Ground Water Monitoring at Solid Waste Disposal Facilities", EPA-530/SW-611, 1977. (Document number PB 84-174820).

"Screening Procedures for Estimating the Air Quality Impact of Stationary Sources", October, 1992, Publication Number EPA-450/R-92-019.

STI. Available from the Steel Tank Institute, 728 Anthony Trail, Northbrook, IL 60062, †312† 708-498-1980:

"Standard for Dual Wall Underground Steel Storage Tanks" (1986).

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

U.S. EPA. Available from United States Environmental Protection Agency, Office of Drinking Water, State Programs Division, WH 550 E, Washington, D.C. 20460:

"Technical Assistance Document: Corrosion, Its Detection and Control in Injection Wells", EPA 570/9-87-002, August, 1987.

U.S. EPA. Available from U.S. EPA, Office of Solid Waste (Mail Code 5304), 401 M Street SW, Washington, D.C. 20460:

"Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," U.S. EPA Publication number SW-846 (Third Edition, November, 1986), Update IIA (Document Number 955-001-00000-1) (contact GPO, as indicated above, for SW-846 and Update I).

U.S. EPA. Available from U.S. EPA, Number F-90-WPWF-PFFFF, Room M2427, 401 M Street SW, Washington, D.C. 20460, †202†-475-9327:

"Test Method 8290: Procedures for the Detection and Measurement of PCDDs and PCDFs", EPA/530-SW-91-019 (January, 1991)

U.S. EPA Available from Receptor Analysis Branch, U.S. EPA (MD-14), Research Triangle Park, NC 27711:

"Screening Procedures for Estimating the Air Quality Impact of Stationary Sources, Revised", October, 1992, Publication Number EPA-450/R-92-019.

b) Code of Federal Regulations. Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20401, †202†-783-3238:

10 CFR 20, Appendix B (1992)

40 CFR 51.100(ii) (1992)

40 CFR 51, Subpart W, as added at 58 Fed. Reg. 38822 (July 20, 1993)

40 CFR 60 (1993)

40 CFR 61, Subpart V (1993)

40 CFR 136 (1993)

40 CFR 142 (1993)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 40 CFR 220 (1992)
- 40 CFR 260.20 (1992)
- 40 CFR 264 (1992)
- 40 CFR 268.Appendix IX (1992)
- 40 CFR 302.4, 302.5 and 302.6 (1992)
- 40 CFR 761 (1993)

c) Federal Statutes

Section 3004 of the Resource Conservation and Recovery Act (42 U.S.C. 5901 et seq.), as amended through December 31, 1987.

d) This Section incorporates no later editions or amendments.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Identification And Listing Of Hazardous Waste
- 2) Code citation: 35 Ill. Adm. Code 721
- 3) Section numbers: Proposed action:
 - 721.104 Amendment
 - 721.133 Amendment
 - 721.Appendix H Amendment
- 4) Statutory authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1022.4 and 1027 [415 ILCS 5/22.4 and 27].

5) A complete description of the subjects and issues involved:

A more detailed description is contained in the Board's Proposed Opinion of August 11, 1994, in R94-17, which Opinion is available from the address below. Section 22.4(a) of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1022.4(a)) [415 ILCS 5/22.4(a)] provides that Section 5 of the Administrative Procedure Act (Ill. Rev. Stat. 1991 ch. 127, par. 1005-35 and 1005-40) [5 ILCS 100/5-35 and 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

This rulemaking updates Parts 704, 720, 721, 724, 725, 728, and 739 of the Illinois RCRA Subtitle C hazardous waste rules to correspond with amendments adopted by U.S. EPA which appeared in the Federal Register during the period January 1 through June 30, 1994. During this period, U.S. EPA amended its regulations as follows:

Federal Action

Summary

- 59 Fed. Reg. 458, Determination not to regulate wastes from wood surface protection as listed hazardous wastes; update of SW-846 to include a new method; addition of four chemicals to listing of hazardous constituents
January 4, 1994
- 59 Fed. Reg. 8362, Amendment of treatability study exclusion from definition of solid waste
February 18, 1994
- 59 Fed. Reg. 10550, Clarification of used oil regulations to clarify that used oil mixed with crude oil or natural gas liquids are exempted from the used oil regulations; exemption of crude oil mixed with small amounts of used oil that is destined for insertion into a refining process; exclusions for certain activities
March 4, 1994

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

from regulation as used oil processing

- 59 Fed. Reg. 13891, Amendment of handling codes for periodic
March 24, 1994 T/S/D facility reports
- 59 Fed. Reg. 28484, Corrections to the wood surface protection
June 2, 1994 determination amendments
- 59 Fed. Reg. 29372, Response to Supreme Court remand in *City of*
June 7, 1994 *Chicago v. Environmental Defense Fund, Inc.*,
-- U.S. --, 114 S. Ct. 1588, 128 L. Ed. 2d
302 (1994): U.S. EPA granted an extension
for facilities managing waste-to-energy
facility ash to file a Part A permit
application.

- 59 Fed. Reg. 29958, Amendment of references to the prescribed
June 10, 1994 form for a letter of credit Used for RCRA
Subtitle C, underground injection, and
underground storage tanks to indicate
copyright

- 59 Fed. Reg. 31551, Correction of hazardous waste listing (P015),
June 20, 1994 hazardous constituent listing, and land
disposal restrictions listing for beryllium
to beryllium powder

The June 7, 1994 action constituted a U.S. EPA determination that
substantial confusion existed relating to the regulatory status of a
waste, and it granted an extension of the time by which facilities
managing the waste must file a Part A permit application. Although no
Board action is required based on the June 7 federal action, we undertake
an amendment to notify the regulated community of the change in law
arising through the Supreme Court's decision and the U.S. EPA response.

Specifically, the segment of the amendments involved in Part 721
incorporates the changes to the treatability studies exemption, notes the
Supreme Court decision and U.S. EPA action with regard to incinerator ash;
adds the tetrachloro- and pentachlorophenates to the listing of hazardous
constituents; and makes the beryllium powder corrections to the hazardous
waste listing (P015), the list of hazardous constituents, and the land
disposal restrictions. The Board further makes a number of grammatic,
punctuational, and stylistic corrections to the opened Sections.

- 6) Will this proposed rule replace an emergency rule currently in effect?
No.

- 7) Does this rulemaking contain an automatic repeal date? No.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 8) Do these proposed amendments contain incorporations by reference? No.

- 9) Are there any other amendments pending on this Part? No.

- 10) Statement of statewide policy objectives:

This rulemaking is mandated by Section 22.4(a) of the Environmental
Protection Act. The statewide policy objectives are set forth in Section
20 of that Act. This rulemaking imposes mandates on units of local
government only to the extent that they may be involved in the generation,
transportation, treatment, storage, or disposal of hazardous waste.

- 11) Time, place and manner in which interested persons may comment on this
proposed rulemaking:

The Board will accept written public comment on this proposal for a period
of 45 days after the date of this publication. Comments should reference
Docket R94-17 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

Address all questions to Michael J. McCambridge, at 312-814-6924.

- 12) Initial regulatory flexibility analysis:

- A) Date rule was submitted to the Small Business Office of the
Department of Commerce and Community Affairs: August 16, 1994.

- B) Types of small businesses affected:

The existing rules and proposed amendments affect small businesses
which generate, transport, treat, store, or dispose of hazardous
waste. The present amendments will have little impact on those
businesses. The expansion of the treatability study exemption
constitutes a regulatory relaxation for certain facilities engaging
in hazardous waste treatability studies. The update to SW-846
substitutes updated methods for physical and chemical analysis for
some existing methods, which could have minor impact on businesses
engaging in analysis of these wastes. The listing of additional
hazardous constituents should have little impact because U.S. EPA
stated that no wood treatment presently uses these chemicals. The
clarifications of the used oil regulations constitute a regulatory
relaxation for certain petroleum refining facilities and petroleum

POLLUTION CONTROL BOARD

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

and natural gas pipeline facilities that manage used oil. The revised reporting codes and the copyright designation on the financial responsibility will affect businesses that must report or use the prescribed letter of credit form, but the impact of those revisions will likely be minimal.

C) Reporting, bookkeeping or other procedures required for compliance:

The existing rules and proposed amendments require extensive reporting, bookkeeping, and other procedures, including the preparation of manifests and annual reports, waste analyses, and maintenance of operating records. The present amendments will have little impact on those businesses. The expansion of the treatability study exemption constitutes a regulatory relaxation for certain facilities engaging in hazardous waste treatability studies. The update to SW-846 substitutes updated methods for physical and chemical analysis for some existing methods, which could have minor impact on businesses engaging in analysis of these wastes. The listing of additional hazardous constituents should have little impact because U.S. EPA stated that no wood treatment presently uses these chemicals. The clarifications of the used oil regulations constitute a regulatory relaxation for certain petroleum refining facilities and petroleum and natural gas pipeline facilities that manage used oil. The revised reporting codes and the copyright designation on the financial responsibility will affect businesses that must report or use the prescribed letter of credit form, but the impact of those revisions will likely be minimal.

D) Types of professional skills necessary for compliance:

Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist, and registered professional engineer.

The full text of the proposed amendments begins on the next page:

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE G: WASTE DISPOSAL
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

PART 721
IDENTIFICATION AND LISTING OF
HAZARDOUS WASTE

SUBPART A: GENERAL PROVISIONS

Section	Purpose of Scope	Quantity
721.101	Definition of Solid Waste	
721.102	Definition of Hazardous Waste	
721.103	Exclusions	
721.104	Special Requirements for Hazardous Waste Generated by Small Quantity Generators	
721.105	Requirements for Recyclable Materials	
721.106	Residues of Hazardous Waste in Empty Containers	
721.107	PCB Wastes Regulated under TSCA	
721.108		

SUBPART B: CRITERIA FOR IDENTIFYING THE
CHARACTERISTICS OF HAZARDOUS WASTE
AND FOR LISTING HAZARDOUS WASTES

Section	Criteria for Identifying the Characteristics of Hazardous Waste
721.110	Criteria for Listing Hazardous Waste
721.111	

SUBPART C: CHARACTERISTICS OF HAZARDOUS WASTE

Section	General
721.120	Characteristic of Ignitability
721.121	Characteristic of Corrosivity
721.122	Characteristic of Reactivity
721.123	Toxicity Characteristic
721.124	

SUBPART D: LISTS OF HAZARDOUS WASTE

Section	General
721.130	Hazardous Wastes From Nonspecific Sources
721.131	Hazardous Waste from Specific Sources
721.132	Discarded Commercial Chemical Products, Off-Specification Species, Container Residues and Spill Residues Thereof
721.133	Wood Preserving Wastes
721.135	

POLLUTION CONTROL BOARD

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

APPENDIX A	Representative Sampling Methods
APPENDIX B	Method 131 Toxicity Characteristic Leaching Procedure (TCLP)
APPENDIX C	Chemical Analysis Test Methods
TABLE A	Analytical Characteristics of Organic Chemicals (Repealed)
TABLE B	Analytical Characteristics of Inorganic Species (Repealed)
TABLE C	Sample Preparation/Sample Introduction Techniques (Repealed)
APPENDIX G	Basis for Listing Hazardous Wastes
APPENDIX H	Hazardous Constituents
APPENDIX I	Wastes Excluded under Section 720.120 and 720.122
TABLE A	Wastes Excluded from Non-Specific Sources
TABLE B	Wastes Excluded from Specific Sources
TABLE C	Wastes Excluded From Commercial Chemical Products, Off-Specification Species, Container Residues, and Soil Residues Thereof
TABLE D	Wastes Excluded by Adjusted Standard
APPENDIX J	Method of Analysis of Chlorinated Dibenzop-p-Dioxins and Dibenzofurans (Repealed)
APPENDIX Z	Table to Section 721.102

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective as noted in 35 Ill. Adm. Code 700.106; amended and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective as noted in 35 Ill. Adm. Code 700.106; amended in R82-18, 51 PCB 31, at 7 Ill. Reg. 2518, effective February 22, 1983; amended in R82-19, 53 PCB 131, at 7 Ill. Reg. 13999, effective October 12, 1983; amended in R84-34, 61 PCB 247, at 8 Ill. Reg. 24562, effective December 11, 1984; amended in R84-9, at 9 Ill. Reg. 11834, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 998, effective January 2, 1986; amended in R85-2 at 10 Ill. Reg. 8112, effective May 2, 1986; amended in R86-19 at 10 Ill. Reg. 20647, effective August 12, 1986; amended in R86-28 at 11 Ill. Reg. 6035, effective March 24, December 2, 1986; amended in R86-46 at 11 Ill. Reg. 13466, effective August 4, 1987; amended in R87-32 at 11 Ill. Reg. 16698, effective September 30, 1987; amended in R87-5 at 11 Ill. Reg. 19303, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2456, effective January 15, 1988; amended in R87-30 at 12 Ill. Reg. 12070, effective July 12, 1988; amended in R87-39 at 12 Ill. Reg. 13006, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 382, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18300, effective November 13, 1989; amended R90-2 at 14 Ill. Reg. 14401, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16472, effective September 25, 1990; amended in R90-17 at 15 Ill. Reg. 7950, effective May 9, 1991; amended in R90-11 at 15 Ill. Reg. 9332, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14473, effective September 30, 1991; amended in R91-12 at 16 Ill. Reg. 2155, effective January 27, 1992; amended in R91-26 at 16 Ill. Reg. 2600, effective February 3, 1992; amended in R91-13 at 16 Ill. Reg. 9519, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17666, effective November 6, 1992;

amended in R92-10 at 17 Ill. Reg. 5650, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20568, effective November 22, 1993; amended at 18 Ill. Reg. 6741, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12175, effective July 29, 1994; amended in R94-7 at 18 Ill. Reg. _____, effective _____.

Section 721.104 Exclusions

a) Materials which that are not solid wastes. The following materials are not solid wastes for the purpose of this Part:

- 1) Sewage:
 - A) Domestic sewage; and
 - B) Any mixture of domestic sewage and other waste that passes through a sewer system to publicly-owned treatment works for treatment. "Domestic sewage" means untreated sanitary wastes that pass through a sewer system.
- 2) Industrial wastewater discharges that are point source discharges with NPDES permits issued by the Agency pursuant to Section 12(f) of the Environmental Protection Act and 35 Ill. Adm. Code 309.

BOARD NOTE: This exclusion applies only to the actual point source discharge. It does not exclude industrial wastewaters while they are being collected, stored, or treated before discharge, nor does it exclude sludges that are generated by industrial wastewater treatment.
- 3) Irrigation return flows.
- 4) Source, special nuclear or by-product material as defined by the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.)
- 5) Materials subjected to in-situ mining techniques ~~which~~ that are not removed from the ground as part of the extraction process.
- 6) Pulping liquors (i.e., black liquor) that are reclaimed in a pulping liquor recovery furnace and then reused in the pulping process, unless accumulated speculatively as defined in Section 721.101(c)(7).
- 7) Spent sulfuric acid used to produce virgin sulfuric acid, unless it is accumulated speculatively as defined in Section 721.101(c).
- 8) Secondary materials that are reclaimed and returned to the original process or processes in which they were generated where they are reused in the production process, provided:
 - A) Only tank storage is involved, and the entire process through completion of reclamation is closed by being entirely connected with pipes or other comparable enclosed means of conveyance;
 - B) Reclamation does not involve controlled flame combustion (such as occurs in boilers, industrial furnaces or incinerators);
 - C) The secondary materials are never accumulated in such tanks for over twelve months without being reclaimed; and
 - D) The reclaimed material is not used to produce a fuel, or

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

used to produce products that are used in a manner constituting disposal.

9) Wood preserving wastes.

A) Spent wood preserving solutions that have been used and are reclaimed and reused for their original intended purpose; and

B) Wastewaters from the wood preserving process that have been reclaimed and are reused to treat wood.

10) Hazardous waste number K060, K087, K141, K142, K143, K144, K145, K147, and K148, and any wastes from the coke by-products processes which that are hazardous only because they exhibit the toxicity characteristic specified in Section 721.124, when, subsequent to generation, these materials are recycled to coke ovens, to the tar recovery process as a feedstock to produce coal tar, or are mixed with coal tar prior to the tar's sale or refining. This exclusion is conditioned on there being no land disposal of the wastes from the point they are generated to the point they are recycled to coke ovens or tar recovery or the tar refining processes, or mixed with coal.

11) Nonwastewater splash condenser dross residue from the treatment of K061 in high temperature metals recovery units, provided it is shipped in drums (if shipped) and not land disposed before recovery.

b) Solid wastes which that are not hazardous wastes. The following solid wastes are not hazardous wastes:

1) Household waste, including household waste that has been collected, transported, stored, treated, disposed, recovered (e.g., refuse-derived fuel), or reused. "Household waste" means any waste material (including garbage, trash, and sanitary wastes in septic tanks) derived from households (including single and multiple residences, hotels, and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas). A resource recovery facility managing municipal solid waste shall not be deemed to be treating, storing, disposing of, or otherwise managing hazardous wastes for the purposes of regulation under this Part, if such facility:

A) Receives and burns only:

- i) Household waste (from single and multiple dwellings, hotels, motels, and other residential sources) and
- ii) Solid waste from commercial or industrial sources that does not contain hazardous waste; and

B) Such facility does not accept hazardous waste and the owner or operator of such facility has established contractual requirements or other appropriate notification or inspection procedures to assure that hazardous wastes are not received at or burned in such facility.

BOARD NOTE: The U.S. Supreme Court determined, in City of Chicago v. Environmental Defense Fund, Inc., no. 92-1639

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

(May 2, 1994), that this exclusion and RCRA section 3001(i) (42 U.S.C. 6921(i)) do not exclude the ash from facilities covered by this subsection from regulation as a hazardous waste. At 59 Fed. Reg. 29372 (June 7, 1994), U.S. EPA granted facilities managing ash from such facilities that is determined a hazardous waste under 721.Subpart C until December 7, 1994 to file a Part A permit application pursuant to 35 Ill. Adm. Code 703.181.

2) Solid wastes generated by any of the following and which that are returned to the soil as fertilizers:

A) The growing and harvesting of agricultural crops.

B) The raising of animals, including animal manures.

3) Mining overburden returned to the mine site.

4) Fly ash waste, bottom ash waste, slag waste, and flue gas emission control waste generated primarily from the combustion of coal, or other fossil fuels, except as provided in 35 Ill. Adm. Code 726.212 for facilities that burn or process hazardous waste.

5) Drilling fluids, produced waters, and other wastes associated with the exploration, development, or production of crude oil, natural gas, or geothermal energy.

6) Chromium wastes:

A) Wastes which that fail the test for the toxicity characteristic (Section 721.124 and Appendix B) because chromium is present or which are listed in Subpart D of this Part due to the presence of chromium, which that do not fail the test for the toxicity characteristic for any other constituent or which are not listed due to the presence of any other constituent, and which that do not fail the test for any other characteristic, if it is shown by a waste generator or by waste generators that:

- i) The chromium in the waste is exclusively (or nearly exclusively) trivalent chromium; and
- ii) The waste is generated from an industrial process which that uses trivalent chromium exclusively (or nearly exclusively) and the process does not generate hexavalent chromium; and
- iii) The waste is typically and frequently managed in non-oxidizing environments.

B) Specific wastes which that meet the standard in subsections (b)(6)(A)(i), (b)(6)(A)(ii), and (b)(6)(A)(iii)7 above (so long as they do not fail the test for the toxicity characteristic for any other constituent and do not exhibit any other characteristic) are:

- i) Chrome (blue) trimmings generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish; hair save/chrome tan/retan/ wet finish; retan/wet finish; no beamhouse; through-the-blue; and shearing.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- ii) Chrome (blue) shavings generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/ retan/wet finish; hair save/chrome tan/retan/ wet finish; retan/wet finish; no beamhouse; through-the-blue; and shearing.
- iii) Buffing dust generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/ retan/wet finish; hair save/chrome tan/retan/ wet finish; retan/wet finish; no beamhouse; through-the-blue.
- iv) Sewer screenings generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/ retan/wet finish; hair save/chrome tan/retan/ wet finish; retan/wet finish; no beamhouse; through-the-blue; and shearing.
- v) Wastewater treatment sludges generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/ retan/wet finish; hair save/chrome tan/retan/ wet finish; retan/wet finish; no beamhouse; through-the-blue; and shearing.
- vi) Wastewater treatment sludges generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/ retan/wet finish; hair save/chrome tan/retan/ wet finish; and through-the-blue.
- vii) Waste scrap leather from the leather tanning industry, the shoe manufacturing industry, and other leather product manufacturing industries.
- viii) Wastewater treatment sludges from the production of titanium dioxide pigment using chromium-bearing ores by the chloride process.
- 7) Solid waste from the extraction, beneficiation, and processing of ores and minerals (including coal, phosphate rock, and overburden from the mining of uranium ore), except as provided by 35 Ill. Adm. Code 726.212 for facilities that burn or process hazardous waste. For purposes of this subsection, beneficiation of ores and minerals is restricted to the following activities: crushing, grinding, washing, dissolution, crystallization, filtration, sorting, sizing, drying, sintering, pelletizing, briquetting, calcining to remove water or carbon dioxide, roasting, autoclaving or chlorination in preparation for leaching (except where the roasting or autoclaving or chlorination⁷ and leaching sequence produces a final or intermediate product that does not undergo further beneficiation or processing), gravity concentration, magnetic separation, electrostatic separation, floatation, ion exchange, solvent extraction, electrowinning, precipitation, amalgamation, and heap, dump, vat tank, and in situ leaching. For the purposes of this subsection, solid waste from the processing of ores and

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- minerals includes only the following wastes:
- A) Slag from primary copper processing;
- B) Slag from primary lead processing;
- C) Red and brown muds from bauxite refining;
- D) Phosphogypsum from phosphoric acid production;
- E) Slag from elemental phosphorus production;
- F) Gasifier ash from coal gasification;
- G) Process wastewater from coal gasification;
- H) Calcium sulfate wastewater treatment plant sludge from primary copper processing;
- I) Slag tailings from primary copper processing;
- J) Fluorogypsum from hydrofluoric acid production;
- K) Process wastewater from hydrofluoric acid production;
- L) Air pollution control dust⁷ or sludge from iron blast furnaces;
- M) Iron blast furnace slag;
- N) Treated residue from roasting⁷ and leaching of chrome ore;
- O) Process wastewater from primary magnesium processing by the anhydrous process;
- P) Process wastewater from phosphoric acid production;
- Q) Basic oxygen furnace and open hearth furnace air pollution control dust⁷ or sludge from carbon steel production;
- R) Basic oxygen furnace and open hearth furnace slag from carbon steel production;
- S) Chloride processing waste solids from titanium tetrachloride production; and,
- T) Slag from primary zinc smelting;
- 8) Cement kiln dust waste, except as provided by 35 Ill. Adm. Code 726.212 for facilities that burn or process hazardous waste.
- 9) Solid waste which that consists of discarded arsenical-treated wood or wood products which fails the test for the toxicity characteristic for hazardous waste codes D004 through D017 and which that is not a hazardous waste for any other reason if the waste is generated by persons who utilize the arsenical-treated wood and wood products for these materials' intended end use.
- 10) Petroleum-contaminated media and debris that fail the test for the toxicity characteristic of Section 721.124 (hazardous waste codes D018 through D043 only) and are subject to corrective action regulations under 35 Ill. Adm. Code 731.
- 11) Injected groundwater that is hazardous only because it exhibits the toxicity characteristic (U.S. EPA hazardous waste codes D018 through D024 only) in Section 721.124 that is reinjected through an underground injection well pursuant to free phase hydrocarbon recovery operations undertaken at petroleum refineries, petroleum marketing terminals petroleum bulk plants, petroleum pipelines, and petroleum spill sites until January 25, 1993. This extension applies to recovery operations in existence, or for which contracts have been issued, on or before March 25, 1991. For

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

groundwater returned through infiltration galleries from such as petroleum refineries, marketing terminals, and bulk plants, until October 2, 1991. New operations involving injection wells (beginning after March 25, 1991) will qualify for this compliance date extension (until January 25, 1993) only if:

- A) Operations are performed pursuant to a "free product removal report" pursuant to 35 Ill. Adm. Code 731.164; and
- B) A copy of the "free product removal report" has been submitted to:

Characteristics Section (OS-333)

U.S. EPA

401 M Street, SW

Washington, D.C. 20460

- 12) Used chlorofluorocarbon refrigerants from totally enclosed heat transfer equipment, including mobile air conditioning systems, mobile refrigeration, and commercial and industrial air conditioning and refrigeration systems, ~~which~~ that use chlorofluorocarbons as the heat transfer fluid in a refrigeration cycle, provided the refrigerant is reclaimed for further use.

- 13) Non-terne plated used oil filters ~~which~~ that are not mixed with wastes listed in Subpart D of this Part, if these oil filters have been gravity hot-drained using one of the following methods:
 - A) Puncturing the filter anti-drain back valve or the filter dome end and hot-draining;
 - B) Hot-draining and crusing;
 - C) Dismantling and hot-draining; or,
 - D) Any other equivalent hot-draining method which that will remove used oil.

- 14) Used oil re-refining distillation bottoms that are used as feedstock to manufacture asphalt products.

- c) Hazardous wastes ~~which~~ that are exempted from certain regulations. A hazardous waste ~~which~~ is generated in a product or raw material storage tank, a product or raw material transport vehicle or vessel, a product or raw material pipeline, or in a manufacturing process unit, or an associated non-waste-treatment manufacturing unit, is not subject to regulation under 35 Ill. Adm. Code 702, 703, 705~~1~~, and 722 through 725 and 728 or to the notification requirements of Section 3010 of RCRA until it exits the unit in which it was generated, unless the unit is a surface impoundment, or unless the hazardous waste remains in the unit more than 90 days after the unit ceases to be operated for manufacturing, or for storage or transportation of product or raw materials.

- d) Samples.

- 1) Except as provided in subsection (d)(2) below, a sample of solid waste or a sample of water, soil, or air, ~~which~~ that is collected for the sole purpose of testing to determine its characteristics or composition, is not subject to any requirements of this Part or 35 Ill. Adm. Code 702, 703, 705~~7~~ and 722 through 728. The

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

sample qualifies when:

- A) The sample is being transported to a laboratory for the purpose of testing; or
 - B) The sample is being transported back to the sample collector after testing; or
 - C) The sample is being stored by the sample collector before transport to a laboratory for testing; or
 - D) The sample is being stored in a laboratory before testing; or
 - E) The sample is being stored in a laboratory for testing but before it is returned to the sample collector; or
 - F) The sample is being stored temporarily in the laboratory after testing for a specific purpose (for example, until conclusion of a court case or enforcement action where further testing of the sample may be necessary).
- 2) In order to qualify for the exemption in subsection (d)(1)(A) and (d)(1)(B) above, a sample collector shipping samples to a laboratory and a laboratory returning samples to a sample collector must shall:

- A) Comply with U.S. Department of Transportation (DOT), U.S. Postal Service (USPS), or any other applicable shipping requirements; or
 - B) Comply with the following requirements if the sample collector determines that DOT, USPS, or other shipping requirements do not apply to the shipment of the sample:
 - i) Assume that the following information accompanies the sample: The sample collector's name, mailing address, and telephone number; the laboratory's name, mailing address, and telephone number; the quantity of the sample; the date of the shipment; and a description of the sample.
 - ii) Package the sample so that it does not leak, spill, or vaporize from its packaging.
 - 3) This exemption does not apply if the laboratory determines that the waste is hazardous but the laboratory is no longer meeting any of the conditions stated in subsection (d)(1) above.
- e) Treatability study samples.
- 1) Except as is provided in subsection (e)(2) below, persons who generate or collect samples for the purpose of conducting treatability studies, as defined in 35 Ill. Adm. Code 720.110, are not subject to any requirement of 35 Ill. Adm. Code 721 through 723 or to the notification requirements of Section 3010 of the Resource Conservation and Recovery Act. Nor are such samples included in the quantity determinations of Section 721.105 and 35 Ill. Adm. Code 722.134(d) when:
 - A) The sample is being collected and prepared for transportation by the generator or sample collector; or,
 - B) The sample is being accumulated or stored by the generator

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- or sample collector prior to transportation to a laboratory or testing facility; or
- C) The sample is being transported to the laboratory or testing facility for the purpose of conducting a treatability study.
- 2) The exemption in subsection (e)(1) above is applicable to samples of hazardous waste being collected and shipped for the purpose of conducting treatability studies provided that:
- A) The generator or sample collector uses (in "treatability studies") no more than ~~17000~~ 10,000 kg of ~~any~~ media contaminated with non-acute hazardous waste, 1000 kg of non-acute hazardous waste other than contaminated media, 1 kg of acute hazardous waste, or ~~250~~ 2500 kg of ~~soils--water~~ or--debris media contaminated with acute hazardous waste for each process being evaluated for each generated wastestream; and
- B) The mass of each shipment does not exceed ~~17000~~ 10,000 kg; the 10,000 kg quantity may be all media contaminated with ~~of~~ non-acute hazardous waste, or may include 2500 kg of media contaminated with acute hazardous waste, 1000 kg of hazardous waste, and 1 kg of acute hazardous waste or-250-kg of--soils--water-or-debris-contaminated-with-acute-hazardous waste; and
- C) The sample must be packaged so that it does not leak, spill, or vaporize from its packaging during shipment and the requirements of subsections (e)(2)(C)(i) or (e)(2)(C)(ii), below, are met.
- i) The transportation of each sample shipment complies with U.S. Department of Transportation (DOT), U.S. Postal Service (USPS), or any other applicable shipping requirements; or
- ii) If the DOT, USPS, or other shipping requirements do not apply to the shipment of the sample, the following information must accompany the sample: The name, mailing address, and telephone number of the originator of the sample; the name, address, and telephone number of the facility that will perform the treatability study; the quantity of the sample; the date of the shipment; and, a description of the sample, including its U.S. EPA hazardous waste number.
- D) The sample is shipped to a laboratory or testing facility ~~which~~ that is exempt under subsection (f) below, or has an appropriate RCRA permit or interim status.
- E) The generator or sample collector maintains the following records for a period ending 3 years after completion of the treatability study:
- i) Copies of the shipping documents;
- ii) A copy of the contract with the facility conducting the treatability study;

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- iii) Documentation showing: The amount of waste shipped under this exemption; the name, address, and U.S. EPA identification number of the laboratory or testing facility that received the waste; the date the shipment was made; and, whether or not unused samples and residues were returned to the generator.
- F) The generator reports the information required in subsection (e)(2)(E)(iii) above in its report under 35 Ill. Adm. Code 722.141.
- 3) The Agency may grant requests on a case-by-case basis for up to an additional two years for treatability studies involving bioremediation. The Agency may grant requests, on a case-by-case basis, for quantity limits in excess of those specified in subsection (e)(2)(A) and (e)(2)(B) above and (f)(4) below, for up to an additional 5000 kg of media contaminated with non-acute hazardous waste, 500 kg of ~~any~~ non-acute hazardous waste, 2500 kg of media contaminated with acute hazardous waste, and 1 kg of acute hazardous waste: ~~and-250-kg-of--soils--water--or--debris contaminated-with-acute-hazardous-waste~~
- A) In response to requests for authorization to ship, store, and conduct further treatability study studies in advance of commencing treatability studies. Factors to be considered in reviewing such requests include the nature of the technology, the type of process (e.g., batch versus continuous), the size of the unit undergoing testing (particularly in relation to scale-up considerations), the time or quantity of material required to reach steady-state operating conditions, or test design considerations, such as mass balance calculations.
- B) In response to requests for authorization to ship, store, and conduct treatability studies on additional quantities after initiation or completion of initial treatability studies ~~evaluation~~ when: There has been an equipment or mechanical failure during the conduct of the treatability study; there is need to verify the results of a previously-conducted treatability study; there is a need to study and analyze alternative techniques within a previously-evaluated treatment process; or there is a need to do further evaluation of an ongoing treatability study to determine final specifications for treatment.
- C) The additional quantities allowed and timeframes allowed in subsections (e)(3)(A) and (e)(3)(B) above are subject to all the provisions in subsections (e)(1) and (e)(2)(B) through (e)(2)(F) above. The generator or sample collector ~~must~~ shall apply to the Agency and provide in writing the following information:
- i) The reason why the generator or sample collector requires additional time or quantity of sample for the

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

treatability study evaluation and the additional time or quantity needed;

- iiB) Documentation accounting for all samples of hazardous waste from the wastestream which that have been sent for or undergone treatability studies, including the date each previous sample from the waste stream was shipped, the quantity of each previous shipment, the laboratory or testing facility to which it was shipped, what treatability study processes were conducted on each sample shipped, and the available results of each treatability study;

iiiE) A description of the technical modifications or change in specifications which that will be evaluated and the expected results;

ivB) If such further study is being required due to equipment or mechanical failure, the applicant must shall include information regarding the reason for the failure or breakdown and also include what procedures or equipment improvements have been made to protect against further breakdowns; and,

vE) Such other information as the Agency determines is necessary.

- 4) Final Agency determinations pursuant to this subsection may be appealed to the Board.

f) Samples undergoing treatability studies at laboratories or testing facilities. Samples undergoing treatability studies and the laboratory or testing facility conducting such treatability studies (to the extent such facilities are not otherwise subject to RORA requirements) are not subject to any requirement of this Part, or of 35 Ill. Adm. Code 702, 703, 705, 722 through 726, and 728, or to the notification requirements of Section 3010 of the Resource Conservation and Recovery Act, provided that the requirements of subsections (f)(1) through (f)(11), below, are met. A mobile treatment unit may qualify as a testing facility subject to subsections (f)(1) through (f)(11), below. Where a group of mobile treatment units are located at the same site, the limitations specified in subsections (f)(1) through (f)(11), below, apply to the entire group of mobile treatment units collectively as if the group were one mobile treatment unit.

1) No less than 45 days before conducting treatability studies, the facility notifies the Agency in writing that it intends to conduct treatability studies under this subsection.

2) The laboratory or testing facility conducting the treatability study has a U.S. EPA identification number.

3) No more than a total of 250 10,000 kg of "as received" media contaminated with non-acute hazardous waste, 2500 kg of media contaminated with acute hazardous waste, or 250 kg of other "as received" hazardous waste is subjected subject to initiation of treatment in all treatability studies in any single day. "As

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

received" waste refers to the waste as received in the shipment from the generator or sample collector.

- 4) The quantity of "as received" hazardous waste stored at the facility for the purpose of evaluation in treatability studies does not exceed 10,000 kg, the total of which can include 10,000 kg of media contaminated with non-acute hazardous waste, 500 2500 kg of ~~solid, water, or debris~~ media contaminated with acute hazardous waste, 1000 kg of non-acute hazardous wastes other than contaminated media, or and 1 kg of acute hazardous waste. This quantity limitation does not include ~~A) treatability~~ ~~study residues, and B) treatment~~ treatment materials (including nonhazardous solid waste) added to "as received" hazardous waste. No more than 90 days have elapsed since the treatability study for the sample was completed, or no more than one year (two years for treatability studies involving bioremediation) has elapsed since the generator or sample collector shipped the sample to the laboratory or testing facility, whichever date first occurs. Up to 500 kg of treated material from a particular waste stream from treatability studies may be archived for future evaluation up to five years from the date of initial receipt. Quantities of materials archived are counted against the total storage limit for the facility.

6) The treatability study does not involve the placement of hazardous waste on the land or open burning of hazardous waste.

7) The facility maintains records 3 years following completion of each study that show compliance with the treatment rate limits and the storage time and quantity limits. The following specific information must be included for each treatability study conducted:

- A) The name, address, and U.S. EPA identification number of the generator or sample collector of each waste sample;
 B) The date the shipment was received;
 C) The quantity of waste accepted;
 D) The quantity of "as received" waste in storage each day;
 E) The date the treatment study was initiated and the amount of "as received" waste introduced to treatment each day;
 F) The date the treatability study was concluded;
 G) The date any unused sample or residues generated from the treatability study were returned to the generator or sample collector or, if sent to a designated facility, the name of the facility and the U.S. EPA identification number.
 8) The facility keeps, on-site, a copy of the treatability study contract and all shipping papers associated with the transport of treatability study samples to and from the facility for a period ending 3 years from the completion date of each treatability study.
 9) The facility prepares and submits a report to the Agency by March 15 of each year that estimates the number of studies and the

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

amount of waste expected to be used in treatability studies during the current year, and includes the following information for the previous calendar year:

- A) The name, address, and U.S. EPA identification number of the facility conducting the treatability studies;
 - B) The types (by process) of treatability studies conducted;
 - C) The names and addresses of persons for whom studies have been conducted (including their U.S. EPA identification numbers);
 - D) The total quantity of waste in storage each day;
 - E) The quantity and types of waste subjected to treatability studies;
 - F) When each treatability study was conducted;
 - G) The final disposition of residues and unused sample from each treatability study*.
- 10) The facility determines whether any unused sample or residues generated by the treatability study are hazardous waste under Section 721.103 and, if so, are subject to 35 Ill. Adm. Code 702, 703, and 721 through 728, unless the residues and unused samples are returned to the sample originator under the subsection (e) exemption above.
- 11) The facility notifies the Agency by letter when the facility is no longer planning to conduct any treatability studies at the site.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 721.133 Discarded Commercial Chemical Products, Off-Specification Species, Containers Residues, and Spill Residues Thereof.

The following materials or items are hazardous wastes if and when they are discarded or intended to be discarded as described in Section 721.102(a)(2)(A), when they are mixed with waste oil or used oil or other material and applied to the land for dust suppression or road treatment, when they are otherwise applied to the land in lieu of their original intended use or when they are contained in products that are applied to land in lieu of their original intended use, or when, in lieu of their original intended use, they are produced for use as (or as a component of) a fuel, distributed for use as a fuel, or burned as a fuel.

- a) Any commercial chemical product, or manufacturing chemical intermediate having the generic name listed in subsections (e) or (f) below.
- b) Any off-specification commercial chemical product or manufacturing chemical intermediate which, if it met specifications, would have the generic name listed in subsections (e) or (f) below.
- c) Any residue remaining in a container or inner liner removed from a container that has held any commercial chemical product or

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

manufacturing commercial intermediate having the generic name listed in subsection (e) or (f) below, unless the container is empty as defined in Section 721.107(b)(3).

BOARD NOTE: Unless the residue is being beneficially used or reused, or legitimately recycled or reclaimed, or being accumulated, stored, transported, or treated prior to such use, reuse, recycling, or reclamation, the Board considers the residue to be intended for discard, and thus a hazardous waste. An example of a legitimate reuse of the residue would be where the residue remains in the container and the container is used to hold the same commercial chemical product or manufacturing chemical intermediate it previously held. An example of the discard of the residue would be where the drum is sent to a drum reconditioner who that reconditions the drum but discards the residue. Any residue or contaminated soil, water, or other debris resulting from the cleanup of a spill into or on any land or water of any commercial chemical product or manufacturing chemical intermediate having the generic name listed in subsection (e) or (f) below, or any residue or contaminated soil, water, or other debris resulting from the cleanup of a spill into or on any land or water, of any off-specification chemical product or manufacturing chemical intermediate which, if it met specifications, would have the generic name listed in subsection (e) or (f) below.

BOARD NOTE: The phrase "commercial chemical product or manufacturing chemical intermediate having the generic name listed in" refers to a chemical substance which that is manufactured or formulated for commercial or manufacturing use which consists of the commercially pure grade of the chemical, any technical grades of the chemical that are produced or marketed, and all formulations in which the chemical is the sole active ingredient. It does not refer to a material, such as a manufacturing process waste, that contains any of the substances listed in subsections (e) or (f) below. Where a manufacturing process waste is deemed to be a hazardous waste because it contains a substance listed in subsections (e) or (f) below, such waste will be listed in either Sections 721.131 or 721.132 or will be identified as a hazardous waste by the characteristics set forth in Subpart C.

e) The commercial chemical products, manufacturing chemical intermediates, or off-specification commercial chemical products or manufacturing chemical intermediates referred to in subsections (a) through (d) above, are identified as acute hazardous waste (H) and are subject to the small quantity exclusion defined in Section 721.105(e). These wastes and their corresponding EPA Hazardous Waste Numbers are:

BOARD NOTE: For the convenience of the regulated community the primary hazardous properties of these materials have been indicated by the letters T (Toxicity), and R (Reactivity). The absence of a letter indicates that the compound only is listed for acute toxicity.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
P023	107-20-0	Acetaldehyde, chloro-
P002	591-08-2	Acetamide, N-(aminothioxomethyl)-
P057	640-19-7	Acetamide, 2-fluoro-
P058	62-74-8	Acetic acid, fluoro-, sodium salt
P002	591-08-2	1-Acetyl-2-thiourea
P003	107-02-8	Acrolein
P070	116-06-3	Aldicarb
P004	309-00-2	Aldrin
P005	107-18-6	Allyl alcohol
P006	20859-73-8	Aluminum phosphide (R,T)
P007	2763-96-4	5-(Aminomethyl)-3-isoxazolol
P008	504-24-5	4-Aminopyridine
P009	131-74-8	Ammonium picrate (R)
P119	7803-55-6	Ammonium vanadate
P099	506-61-6	Argentate(1-), bis(cyano-C)-, potassium
P010	7778-39-4	Arsenic acid H[3]A[s]0[4]
P012	1327-53-3	Arsenic oxide As[2]0[3]
P011	1303-28-2	Arsenic oxide As[2]0[5]
P011	1303-28-2	Arsenic pentoxide
P012	1327-53-3	Arsenic trioxide
P038	692-42-2	Arsine, diethyl-
P036	696-28-6	Arsonous dichloride, phenyl-
P054	151-56-4	Aziridine
P067	75-55-8	Aziridine, 2-methyl
P013	542-62-1	Barium cyanide
P024	106-47-8	Benzenamine, 4-chloro-
P077	100-01-6	Benzenamine, 4-nitro-
P028	100-44-7	Benzene, (chloromethyl)-
P042	51-43-4	1,2-Benzenediol, 4-([1-hydroxy-2-(methylamino)ethyl]-, (R)-
P046	122-09-8	Benzenethanamine, alpha, alpha-dimethyl-
P014	108-98-5	Benzenethiol
P001	P 81-81-2	2H-1-Benzopyran-2-one, 4-hydroxy-3-(3-oxo-1-phenylbutyl)-, and salts, when present at concentrations greater than 0.3%
P028	100-44-7	Benzyl chloride
P015	7440-41-7	Beryllium powder
P017	598-31-2	Bromacetone
P018	357-57-3	Brucine
P045	39196-18-4	2-Butanone, 3,3-dimethyl-1-(methylthio)-, 0-

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
P021	592-01-8	[methylamino]carbonyl] oxime
P021	592-01-8	Calcium cyanide
P022	75-15-0	Calcium cyanide Ca(CN)[2]
P095	75-44-5	Carbon disulfide
P023	107-20-0	Carbonic dichloride
P024	106-47-8	Chloroacetaldehyde
P026	5344-82-1	p-Chloroaniline
P027	542 76-7	1-(o-Chlorophenyl)thiourea
P029	544-92-3	3-Chloropropionitrile
P030	544-92-3	Copper cyanides
P031	460-19-5	Copper cyanide CuCN
P033	506-77-4	Cyanides (soluble cyanide salts), not otherwise specified
P033	506-77-4	Cyanogen
P033	506-77-4	Cyanogen chloride
P034	131-89-5	Cyanogen chloride CNCl
P016	542-88-1	2-Cyclohexyl-4,6-dinitrophenol
P036	696-28-6	Dichloromethyl ether
P037	60-57-1	Dichlorophenylarsine
P038	692-42-2	Dieldrin
P041	311-45-5	Diethylarsine
P040	297-97-2	Diethyl-p-nitrophenyl phosphate
P043	55-91-4	O,O-Diethyl phosphorothioate
P004	309-00-2	Diisopropylfluorophosphate (DPP)
P060	465-73-6	1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a-hexahydro-, (alpha, 4alpha, 4beta, 5alpha, 8alpha, 8beta)-
P037	60-57-1	1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a-hexahydro-, (alpha, 4alpha, 4beta, 5beta, 8beta, 8beta)-
P051	P 72-20-8	2,7:3,6-Dimethanonaphth[2,3-b]oxirane, 3,4,5,6,9,9-hexachloro-1a,2,2a,3,6,6a,7,7a-octahydro-, (1aalpha, 2beta, 2alpha, 3beta, 6beta, 6alpha, 7beta, 7alpha)-
		2,7:3,6-Dimethanonaphth[2,3-b]oxirene, 3,4,5,6,9,9-hexachloro-1a,2,2a,3,6,6a,7,7a-octahydro-, (1aalpha, 2beta, 2alpha, 3beta, 6beta, 6alpha, 7beta, 7alpha)-

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
		7alpha)-, and metabolites
P044	60-51-5	Dimethoate
P046	122-09-8	alpha, alpha-Dimethylphenethylamine
P047	P 534-52-1	4,6-Dinitro-o-cresol and salts
P048	51-28-5	2,4-Dinitrophenol
P020	88-85-7	Dinoseb
P085	152-16-9	Diphosphoramide, octamethyl-
P111	107-49-3	Diphosphoric acid, tetraethyl ester
P039	298-04-4	Disulfoton
P049	541-53-7	Dithiobiuret
P050	115-29-7	Endosulfan
P088	145-73-3	Endothall
P051	72-20-8	Endrin
P051	72-20-8	Endrin, and metabolites
P042	51-43-4	Epinephrine
P031	460-19-5	Ethanedinitrile
P066	16752-77-5	Ethanimidioic acid, N- [[[(methylamino)carbonyloxy]-, methyl ester
P101	107-12-0	Ethyl cyanide
P054	151-56-4	Ethylenimine
P097	52-85-7	Famphur
P056	7782-41-4	Fluorine
P057	640-19-7	Fluoroacetamide
P058	62-74-8	Fluoroacetic acid, sodium salt
P065	628-86-4	Fulminic acid, mercury (2+) salt (R,T)
P059	76-44-8	Heptachlor
P062	757-58-4	Hexaethyl tetraphosphate
P116	79-19-6	Hydrazinecarbothioamide
P068	60-34-4	Hydrazine, methyl-
P063	74-90-8	Hydrocyanic acid
P063	74-90-8	Hydrogen cyanide
P096	7803-51-2	Hydrogen phosphide
P060	465-73-6	Isodrin
P007	2763-96-4	3(2H)-Isoxazalone, 5-(aminomethyl)-
P092	62-38-4	Mercury, (acetato-0)phenyl-
P065	628-86-4	Mercury fulminate (R,T)
P082	62-75-9	Methanamine, N-methyl-N-nitroso-
P064	624-83-9	Methane, isocyanato-
P016	542-88-1	Methane, oxybis(chloro-
P112	509-14-8	Methane, tetranitro- (R)
P118	75-70-7	Methanethiol, trichloro-
P050	115-29-7	6,9-Methano-2,4,3-benzodioxathiepen, 6,7,8,9,10,10-

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
P059	76-44-8	hexachloro-1,5,5a,6,9,9a-hexahydro-, 3-oxide
		4,7-Methano-1H-indene, 1,4,5,6,7,8,8-heptachloro-
		3a,4,7,7a-tetrahydro-
		Methomyl
P066	16752-77-5	
P068	60-34-4	Methyl hydrazine
P064	624-83-9	Methyl isocyanate
P069	75-86-5	2-Methylactonitrile
P071	298-00-0	Methyl parathion
		86-88-4
		alpha-Naphthylthiourea
P073	13463-39-3	Nickel carbonyl
P073	13463-39-3	Nickel carbonyl NiCO[4], (T-4)-
P074	557-19-7	Nickel cyanide
P074	557-19-7	Nickel cyanide Ni(CN)[2]
P075	P 54-11-5	Nicotine, and salts
P076	10102-43-9	Nitric oxide
P077	100-01-6	p-Nitroaniline
P078	10102-44-0	Nitrogen dioxide
P076	10102-43-9	Nitrogen oxide NO
P078	10102-44-0	Nitrogen oxide NO[2]
P081	55-63-0	Nitroglycerine (R)
P082	62-75-9	N-Nitrosodimethylamine
P084	4549-40-0	N-Nitrosomethylvinylamine
P085	152-16-9	Octamethylpyrophosphoramide
P087	20816-12-0	Osmium oxide O[s]O[4], (T-4)-
P087	20816-12-0	Osmium tetroxide
P088	145-73-3	7-Oxabicyclo[2.2.1]heptane-2,3-dicarboxylic acid
P089	56-38-2	Parathion
P034	131-89-5	Phenol, 2-cyclohexyl-4,6-dinitro-
P048	51-28-5	Phenol, 2,4-dinitro-
P047	P 534-52-1	Phenol, 2-methyl-4,6-dinitro-, and salts
P020	88-85-7	Phenol, 2-(1-methylpropyl)-4,6-dinitro-
P009	131-74-8	Phenol, 2,4,6-trinitro-, ammonium salt (R)
P092	62-38-4	Phenylmercury acetate
P093	103-85-5	Phenylthiourea
P094	298-02-2	Phorate
P095	75-44-5	Phosgene
P096	7803-51-2	Phosphine
P041	311-45-5	Phosphoric acid, diethyl 4-nitrophenyl ester

POLLUTION CONTROL BOARD

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
P039	298-04-4	Phosphorodithioic acid, 0,0-diethyl S-[2-(ethylthio)ethyl] ester
P094	298-02-2	Phosphorodithioic acid, 0,0-diethyl S-[(ethylthio)methyl] ester
P044	60-51-5	Phosphorodithioic acid, O,O- dimethyl S-[2-(methylamino)- 2-oxoethyl]ester
P043	55-91-4	Phosphorofluoridic acid, bis(1-methylethyl)ester
P089	56-38-2	Phosphorothioic acid, O,O-diethyl
P040	297-97-2	Phosphorothioic acid, O,O-diethyl
P097	52-85-7	O-pyrazinyl ester
		Phosphorothioic acid,
		0-[4- [(dimethylamino)sulfonyl]phenyl]
P071	298-00-0	0,0-dimethyl ester
		Phosphorothioic acid, 0,0-dimethyl
		0-(4-nitrophenyl) ester
P110	78-00-2	Plumbane, tetraethyl-
P098	151-50-8	Potassium cyanide
P098	151-50-8	Potassium cyanide KCN
P099	506-61-6	Potassium silver cyanide
P070	116-06-3	Propanal, 2-methyl-2-(methylthio)-, O-[(methylamino) carbonyl]oxime
P101	107-12-0	Propanenitrile
P027	542-76-7	Propanenitrile, 3-chloro-
P069	75-86-5	Propanenitrile, 2-hydroxy-2-methyl-
P081	55-63-0	1,2,3-Propanetriol, trinitrate- (R)
P017	598-31-2	2-Propanone, 1-bromo-
P102	107-19-7	Propargyl alcohol
P003	107-02-8	2-Propenal
P005	107-18-6	2-Propen-1-ol
P067	75-55-8	1,2-Propylenimine
P102	107-19-7	2-Propyn-1-ol
P008	504-24-5	4-Pyridinamine
P075	P 54-11-5	Pyridine, 3-(1-methy-2-methyl-2-pyrrolidinyl)-, (S)-and salts
P114	12039-52-0	Selenous acid, dithallium (1+) salt
P103	630-10-4	Selenourea
P104	506-64-9	Silver cyanide
P104	506-64-9	Silver cyanide AgCN
P105	26628-22-8	Sodium azide
P106	143-33-9	Sodium cyanide
P106	143-33-9	Sodium cyanide NaCN

Hazardous Waste No.	Chemical Abstracts No.	Substance
P108	P 57-24-9	Strychnidin-10-one, and salts
P018	357-57-3	Strychnidin-10-one, 2,3-dimethoxy-
P108	P 57-24-9	Strychnine and salts
P115	7446-18-6	Sulfuric acid,dithallium (1+) salt
P109	3689-24-5	Tetraethyldithiopyrophosphate
P110	78-00-2	Tetraethyl lead
P111	107-49-3	Tetraethylpyrophosphate
P112	509-14-8	Tetranitromethane (R)
P062	757-58-4	Tetraphosphoric acid, hexaethyl ester
P113	1314-32-5	Thallic oxide
P113	1314-32-5	Thallium oxide Tl ₂ O[3]
P114	12039-52-0	Thallium (I) selenite
P115	7446-18-6	Thallium (I) sulfate
P109	3689-24-5	Thiodiphosphoric acid, tetraethyl ester
P045	39196-18-4	Thiofanox
P049	541-53-7	Thioimidodicarbonic diamide [(H[2]N)C(S)]:[2]NH
P014	108-98-5	Thiophenol
P116	79-19-6	Thiosemicarbazide
P026	5344-82-1	Thiourea, (2-chlorophenyl)-
P072	86-88-4	Thiourea, 1-naphthalenyl-
P093	103-85-5	Thiourea, phenyl-
P123	8001-35-2	Toxaphene
P118	75-70-7	Trichloromethanethiol
P119	7803-55-6	Vanadic acid, ammonium salt
P120	1314-62-1	Vanadium oxide V[2] O [5]
P120	1314-62-1	Vanadium pentoxide
P084	4549-40-0	Vinylamine, N-methyl-N-nitroso-
P001	P 81-81-2	Warfarin, and salts, when present at concentrations greater than 0.3%.
P121	557-21-1	Zinc cyanide
P121	557-21-1	Zinc cyanide Zn(CN) [2]
P122	1314-84-7	Zinc phosphide Zn[3P[2], when present at concentrations greater than 10% (R,T)

f) The commercial chemical intermediates, or off-specification commercial chemical products referred to in subsections (a) through (d) above, are identified as toxic wastes (T) unless otherwise designated and are subject to the small quantity exclusion defined in Section 721.105(a) and (g). These wastes and their corresponding EPA Hazardous Waste Numbers are: BOARD NOTE: For the convenience of the regulated community, the primary hazardous properties of these materials have been indicated by the letters T (Toxicity), R (Reactivity), I (Ignitability), and C

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

(Corrosivity). The absence **Absence** of a letter indicates that the compound is only listed for toxicity.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U001	75-07-0	Acetaldehyde (I)
U034	75-87-6	Acetaldehyde, trichloro-
U187	62-44-2	Acetamide, N-(4-ethoxyphenyl)-
U005	53-96-3	Acetamide, N-9H-fluoren-2-yl-
U240	P 94-75-7	Acetic acid, (2,4-dichlorophenoxy)-, salts and esters
U112	141-78-6	Acetic acid, ethyl ester (I)
U144	301-04-2	Acetic acid, lead (2+) salt
U214	563-68-8	Acetic acid, thallium(1+) salt
See		
F027	93-76-5	Acetic acid, (2,4,5-trichlorophenoxy)-
U002	67-64-1	Acetone (I)
U003	75-05-8	Acetonitrile (I,T)
U004	98-86-2	Acetophenone
U005	53-96-3	2-Acethylaminofluorene
U006	75-36-5	Acetyl chloride (C,R,T)
U007	79-06-1	Acrylamide
U008	79-10-7	Acrylic acid (I)
U009	107-13-1	Acrylonitrile
U011	61-82-5	Amitrole
U012	62-53-3	Aniline (I,T)
U136	75-60-5	Arsinic acid, dimethyl-
U014	492-80-8	Auramine
U015	115-02-6	Azaserine
U010	50-07-7	Azirino[2',3':3,4]pyrrolo[1,2-a]indole-4,7-dione,
		6-amino-8-(((aminocarbonyl)oxy)methyl)-1,1a,2,8,8a,8b-hexahydro-8a-methoxy-5-methyl-, [1a-S-(1alpha,8beta,8alpha)]-
U157	56-49-5	Benz[<i>j</i>]aceanthrylene, 1,2-dihydro-3-methyl-
U016	225-51-4	Benz(c)acridine
U017	98-87-3	Benzal chloride
U192	23950-58-5	Benzamide,
		3,5-dichloro-N-(1,1-dimethyl-2-propynyl)-
U018	56-55-3	Benz[<i>a</i>]anthracene
U094	57-97-6	Benz[<i>a</i>]anthracene, 7,12-dimethyl-
U012	62-53-3	Benzenamine (I,T)
U014	492-80-8	Benzenamine, 4,4'- carbonimidoylbis [N,N-dimethyl-

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U049	3165-93-3	Benzenamine, 4-chloro-2-methyl-, hydrochloride
U093	60-11-7	Benzenamine, N,N-dimethyl-4-(phenylazo)-
U328	95-53-4	Benzenamine, 2-methyl-
U353	106-49-0	Benzenamine, 4-methyl-
U158	101-14-4	Benzenamine, 4,4'-methylenebis[2-chloro-
U222	636-21-5	Benzenamine, 2-methyl-, hydrochloride
U181	99-55-8	Benzenamine, 2-methyl-5-nitro
U019	71-43-2	Benzene (I,T)
U038	510-15-6	Benzenoacetic acid, 4-chloro-alpha-(4-chlorophenyl)-alpha-hydroxy-, ethyl ester
U030	101-55-3	Benzene, 1-bromo-4-phenoxy-
U035	305-03-3	Benzenobutanoic acid, 4-[bis(2-chloroethylamino)-
U037	108-90-7	Benzene, chloro-
U221	25376-45-8	Benzenediamine, ar-methyl-
U028	117-81-7	1,2-Benzenedicarboxylic acid, bis(2-ethylhexyl) ester
U069	84-74-2	1,2-Benzenedicarboxylic acid, dibutyl ester
U088	84-66-2	1,2-Benzenedicarboxylic acid, diethyl ester
U102	131-11-3	1,2-Benzenedicarboxylic acid, dimethyl ester
U107	117-84-0	1,2-Benzenedicarboxylic acid, dioctyl ester
U070	95-50-1	Benzene, 1,2-dichloro-
U071	541-73-1	Benzene, 1,3-dichloro-
U072	106-46-7	Benzene, 1,4-dichloro-
U060	72-54-8	Benzene, 1,1'-(2,2-dichloroethylenedioxy)-
U017	98-87-3	Benzene, (dichloromethyl)-
U223	26471-62-5	Benzene, 1,3-diisocyanatomethyl- (R,T)
U239	1330-20-7	Benzene, dimethyl- (I,T)
U201	108-46-3	1,3-Benzenediol
U127	118-74-1	Benzene, hexachloro-
U056	110-82-7	Benzene, hexahydro-(I)
U220	108-88-3	Benzene, methyl-
U105	121-14-2	Benzene, 1-methyl-2,4-dinitro-
U106	606-20-2	Benzene, 2-methyl-1,3-dinitro-
U055	98-82-8	Benzene, (1-methylethyl)- (I)
U169	98-95-3	Benzene, nitro-

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U183	608-93-5	Benzene, pentachloro-
U185	82-68-8	Benzene, pentachloronitro-
U020	98-09-9	Benzenesulfonic acid chloride (C,R)
U207	98-09-9	Benzenesulfonyl chloride (C,R)
U061	95-94-3	Benzene, 1,2,4,5-tetrachloro-
	50-29-3	Benzene, 1,1'-(2,2,2-trichloroethylenedioxy)-
U247	72-43-5	Benzene, bis(4-chloro-
		1,1'-(2,2,2-trichloroethylenedioxy)-
		1,1'-(2,2,2-trichloroethylenedioxy)-
U023	98-07-7	Benzene, (trichloromethyl)-
U234	99-35-4	Benzene, 1,3,5-trinitro-
U021	92-87-5	Benzidine
U202	P 81-07-2	1,2-Benzisothiazol-3(2H)-one, 1,1-dioxide, and salts
U203	94-59-7	1,3-Benzodioxole, 5-(2-propenyl)-
U141	120-58-1	1,3-Benzodioxole, 5-(1-propenyl)-
U090	94-58-6	1,3-Benzodioxole, 5-propyl-
U064	189-55-9	Benzo[1,2,3-cd]pyrene
U248	P 81-81-2	2H-1-Benzopyran-2-one, 4-hydroxy-3-(3-oxo-1-phenylbutyl)-, and salts, when present at concentrations of 0.3% or less
U022	50-32-8	Benzo[a]pyrene
U197	106-51-4	p-Benzoquinone
U023	98-07-7	Benzo[1,2,3-cd]pyrene (C,R,T)
U085	1464-53-5	2,2'-Bioxirane
U021	92-87-5	[1,1'-Biphenyl]-4,4'-diamine
U073	91-94-1	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dichloro-
U091	119-90-4	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethoxy-
U095	119-93-7	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethyl-
U225	75-25-2	Bromoform
U030	101-55-3	4-Bromophenyl phenyl ether
U128	87-68-3	1,3-Butadiene, 1,1,2,3,4,4-hexachloro-
U172	924-16-3	1-Butanamine, N-butyl-N-nitroso-
U031	71-36-3	1-Butanol (I)
U159	78-93-3	2-Butanone (I,T)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U160	1338-23-4	2-Butanone, peroxide (R,T)
U053	4170-30-3	2-Butenal
U074	764-41-0	2-Butene, 1,4-dichloro- (I,T)
U143	303-34-4	2-Butenoic acid, 2-methyl-, 7-[[2,3-dihydroxy-2-(1-methoxyethyl)-3-methyl-1-oxobutoxy]methyl]-2,3,5,7a-tetrahydro-1H-pyrrolizin-1-yl ester, [1S-[1alpha(Z), 7(2S*,3R*), 7alpha]]-n-Butyl alcohol (I)
U031	71-36-3	Cacodylic acid
U136	75-60-5	Calcium chromate
U032	13765-19-0	Carbamic acid, ethyl ester
U238	51-79-6	Carbamic acid, methylnitroso-, ethyl ester
U178	615-53-2	Carbamic chloride, dimethyl-Carbamodithioic
U097	79-44-7	1,2-ethanedithiolbis-, salts and esters
U114	P 111-54-6	bis(1-methylethyl)-, S-(2,3-dichloro-2-propenyl) ester
U062	2303-16-4	Carbonic acid, dithallium (1+) salt
U215	6533-73-9	Carbonic difluoride
U033	353-50-4	Carbonochloridic acid, methyl ester (I,T)
U156	79-22-1	Carbon oxyfluoride (R,T)
U033	353-50-4	Carbon tetrachloride
U211	56-23-5	Chloral
U034	75-87-6	Chlorambucil
U035	305-03-3	Chlordane, alpha and gamma isomers
U036	57-74-9	Chlorobenzene
U026	494-03-1	Chlorobenzilate
U037	108-90-7	Chlorobenzyl alcohol
U038	510-15-6	Chlorobenzyl alcohol
U039	59-50-7	p-Chloro-m-cresol
U042	110-75-8	2-Chloroethyl vinyl ether
U044	67-66-3	Chloroform
U046	107-30-2	Chloromethyl methyl ether
U047	91-58-7	beta-Chloronaphthalene
U048	95-57-8	o-Chlorophenol
U049	3165-93-3	4-chloro-o-toluidine, hydrochloride
U032	13765-19-0	Chromic acid H ₂ C(r)O[4], calcium salt
U050	218-01-9	Chrysene
U051		Cresote
U052	1319-77-3	Cresol (Cresylic acid)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U053	4170-30-3	Crotonaldehyde
U055	98-82-8	Cumene (I)
U246	506-68-3	Cyanogen bromide CNBr
U197	106-51-4	2,5-Cyclohexadiene-1,4-dione
U056	110-82-7	Cyclohexane (I)
U129	58-89-9	Cyclohexane, 1,2,3,4,5,6-hexachloro-, (1alpha,2alpha,3beta,4alpha,5alpha,6beta)-Cyclohexanone (I)
U057	108-94-1	1,3-Cyclopentadiene, 1,2,3,4,5,5-hexachloro-
U130	77-47-4	Cyclophosphamide
U058	50-18-0	2,4-D, salts and esters
U240	P 94-75-7	Daunomycin
U059	20830-81-3	DDD
U060	72-54-8	DDT
U061	50-29-3	Diallate
U062	2303-16-4	Dibenz[a,h]anthracene
U063	53-70-3	Dibenzof[a,i]pyrene
U064	189-55-9	1,2-Dibromo-3-chloropropane
U066	96-12-8	Dibutyl phthalate
U069	84-74-2	o-Dichlorobenzene
U070	95-50-1	m-Dichlorobenzene
U071	541-73-1	p-Dichlorobenzene
U072	106-46-7	3,3'-Dichlorobenzidine
U073	91-94-1	1,4-Dichloro-2-butene (I,T)
U074	764-41-0	Dichlorodifluoromethane
U075	75-71-8	1,1-Dichloroethylene
U078	75-35-4	1,2-Dichloroethylene
U079	156-60-5	Dichloroethyl ether
U025	111-44-4	Dichloroisopropyl ether
U027	108-60-1	Dichloromethoxy ethane
U024	111-91-1	2,4-Dichlorophenol
U081	120-83-2	2,6-Dichlorophenol
U082	87-65-0	1,3-Dichloropropene
U084	542-75-6	1,2,3,4-Diepoxybutane (I,T)
U085	1464-53-5	1,4-Diethylenedioxi
U108	123-91-1	Diethylhexyl phthalate
U028	117-81-7	N,N-Diethylhydrazine
U086	1615-80-1	0,0-Diethyl S-methyl dithiophosphate
U087	3288-58-2	Diethyl phthalate
U088	84-66-2	Diethylstilbestrol
U089	56-53-1	Dihydrosafrole
U090	94-58-6	3,3'-Dimethoxybenzidine
U091	119-90-4	Dimethylamine (I)
U092	124-40-3	

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U093	60-11-7	p-Dimethylaminoazobenzene
U094	57-97-6	7,12-Dimethylbenz(a)anthracene
U095	119-93-7	3,3'-Dimethylbenzidine
U096	80-15-9	alpha,
U097	79-44-7	alpha-Dimethylbenzylhydroperoxide (R)
U098	57-14-7	Dimethylcarbamoyl chloride
U099	540-73-8	1,1-Dimethylhydrazine
U101	105-67-9	1,2-Dimethylhydrazine
U102	131-11-3	2,4-Dimethylphenol
U103	77-78-1	Dimethyl phthalate
U105	121-14-2	Dimethyl sulfate
U106	606-20-2	2,4-Dinitrotoluene
U107	117-84-0	2,6-Dinitrotoluene
U108	123-91-1	Di-n-octyl phthalate
U109	122-66-7	1,2-Diphenylhydrazine
U110	142-84-7	Dipropylamine (I)
U111	621-64-7	Di-n-propylinitrosamine
U041	106-89-8	Epichlorohydrin
U001	75-07-0	Ethanal (I)
U174	55-18-5	Ethylamine, N-ethyl-N-nitroso-
U155	91-80-5	1,2-Ethanediamine, N,N-dimethyl-N'-2-pyridinyl-N'-(2-thienylmethyl)-
U067	106-93-4	Ethane, 1,2-dibromo-
U076	75-34-3	Ethane, 1,1-dichloro-
U077	107-06-2	Ethane, 1,2-dichloro-
U131	67-72-1	Ethane, hexachloro-
U024	111-91-1	Ethane,
U117	60-29-7	1,1'-(methylenebis(oxy))bis(2-chloro-
U025	111-44-4	Ethane, 1,1'-oxybis- (I)
U184	76-01-7	Ethane, 1,1'-oxybis(2-chloro-
U208	630-20-6	Ethane, pentachloro-
U209	79-34-5	Ethane, 1,1,1,2-tetrachloro-
U218	62-55-5	Ethane, 1,1,2,2-tetrachloro-
U226	71-55-6	Ethanethioamide
U227	79-00-5	Ethane, 1,1,1-trichloro-
U359	110-80-5	Ethane, 1,1,2-trichloro-
U173	1116-54-7	Ethanol, 2-ethoxy-
U004	98-86-2	Ethanol, 2,2'-(nitrosimino)bis-
U043	75-01-4	Ethanone, 1-phenyl-
U042	110-75-8	Ethene, chloro-
U078	75-35-4	Ethene, (2-chloroethoxy)-
U079	156-60-5	Ethene, 1,1-dichloro-
		Ethene, 1,2-dichloro-, (E)-

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U210	127-18-4	Ethene, tetrachloro-
U228	79-01-6	Ethene, trichloro-
U112	141-78-6	Ethyl acetate (I)
U113	140-88-5	Ethyl acrylate (I)
U238	51-79-6	Ethyl carbamate (urethane)
U117	60-29-7	Ethyl ether
U114	P 111-54-6	Ethylenebis dithiocarbamic acid, salts and esters
U067	106-93-4	Ethylene dibromide
U077	107-06-2	Ethylene dichloride
U359	110-80-5	Ethylene glycol monoethyl ether
U115	75-21-8	Ethylene oxide (I,T)
U116	96-45-7	Ethylene thiourea
U076	75-34-3	Ethylidene dichloride
U118	97-63-2	Ethyl methacrylate
U119	62-50-0	Ethyl methanesulfonate
U120	206-44-0	Fluoranthene
U122	50-00-0	Formaldehyde
U123	64-18-6	Formic acid (C,T)
U124	110-00-9	Furan (I)
U125	98-01-1	2-Furancarboxaldehyde (I)
U147	108-31-6	2,5-Furandione
U133	109-99-9	Furan, tetrahydro- (I)
U125	98-01-1	Furfural (I)
U124	110-00-9	Furfuran (I)
U206	18883-66-4	Glucopyranose, 2- deoxy-2- (3-methyl-3-nitrosoureido)-, D-
U206	18883-66-4	D-Glucose,
		2-deoxy-2-[[(methylnitrosoamino)- carbonyl]amino]-
U126	765-34-4	Glycidylaldehyde
U163	70-25-7	Guanidine,
U127	118-74-1	N-methyl-N'-nitro-N-nitroso-
U128	87-68-3	Hexachlorobenzene
U130	77-47-4	Hexachlorobutadiene
U131	67-72-1	Hexachlorocyclopentadiene
U132	70-30-4	Hexachloroethane
U243	1888-71-7	Hexachloropropene
U133	302-01-2	Hydrazine (R,T)
U086	1615-80-1	Hydrazine, 1,2-diethyl-
U098	57-14-7	Hydrazine, 1,1-dimethyl-
U099	540-73-8	Hydrazine, 1,2-dimethyl-
U109	122-66-7	Hydrazine, 1,2-diphenyl-
U134	7664-39-3	Hydrofluoric acid (C,T)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U134	7664-39-3	Hydrogen fluoride (C,T)
U135	7783-06-4	Hydrogen sulfide
U135	7783-06-4	Hydrogen sulfide H ₂ S
U096	80-15-9	Hydroperoxide, 1-methyl-1-phenylethyl- (R)
U116	96-45-7	2-Imidazolidinethione
U137	193-39-5	Indeno[1,2,3-cd]pyrene
U190	85-44-9	1,3-Isobenzofuranedione
U140	78-83-1	Isobutyl alcohol (I,T)
U141	120-58-1	Isosafrole
U142	143-50-0	Kepone
U143	303-34-4	Lasiocarpene
U144	301-04-2	Lead acetate
U146	1335-32-6	Lead, bis(acetato-0)tetrahydroxytri-
U145	7446-27-7	Lead phosphate
U146	1335-32-6	Lead subacetate
U129	58-89-9	Lindane
U163	70-25-7	MNNG
U147	108-31-6	Maleic anhydride
U148	123-33-1	Maleic hydrazide
U149	109-77-3	Malononitrile
U150	148-82-3	Melphalan
U151	7439-97-6	Mercury
U152	126-98-7	Methacrylonitrile (I,T)
U092	124-40-3	Methanamine, N-methyl- (I)
U029	74-83-9	Methane, bromo-
U045	74-87-3	Methane, chloro- (I,T)
U046	107-30-2	Methane, chloromethoxy-
U068	74-95-3	Methane, dibromo-
U080	75-09-2	Methane, dichloro-
U075	75-71-8	Methane, dichlorodifluoro-
U138	74-88-4	Methane, iodo-
U119	62-50-0	Methanesulfonic acid, ethyl ester
U211	56-23-5	Methane, tetrachloro-
U153	74-93-1	Methanethiol (I,T)
U225	75-25-2	Methane, tribromo-
U044	67-66-3	Methane, trichloro-
U121	75-69-4	Methane, trichlorofluoro-
U036	57-74-9	1,2,4,5,6,7,8-octachloro-2,3,3a,4,7,7a-hexahydro-
U154	67-56-1	Methanol (I)
U155	91-80-5	Methapyrilene
U142	143-50-0	1,3,4-Metheno-2H-cyclobuta[cd]pentalen-2-

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U247	72-43-5	one,
U154	67-56-1	1,1a,3,3a,4,5,5a,5b,6-decachlorooctahydro-
U029	74-83-9	Methoxychlor
U186	504-60-9	Methyl alcohol (I)
U045	74-87-3	Methyl bromide
U156	79-22-1	1-Methylbutadiene (I)
U226	71-55-6	Methyl chloride (I,T)
U157	56-49-5	Methyl chlorocarbonate (I,T)
U158	101-14-4	Methylchloroform
U068	74-95-3	3-Methylcholanthrene
U080	75-09-2	4,4'-Methylenebis(2-chloroaniline)
U159	78-93-3	Methylene bromide
U160	1338-23-4	Methylene chloride
U138	74-88-4	Methyl ethyl ketone (MEK) (I,T)
U161	108-10-1	Methyl ethyl ketone peroxide (R,T)
U162	80-62-6	Methyl iodide
U161	108-10-1	Methyl isobutyl ketone (I)
U164	56-04-2	Methyl methacrylate (I,T)
U010	50-07-7	4-Methyl-2-pentanone (I)
U059	20830-81-3	Methylthiouracil
		Mitomycin C
		5,12-Naphthacenedione, 8-acetyl-10-[(3-amino-2,3,6-trideoxy)-alpha-L-lyxo-hexapyranosyl]oxyl]-7,8,9,10-tetrahydro-6,8,11-trihydroxy-1-methoxy-, (8S-cis)-
U167	134-32-7	1-Naphthalenamine
U168	91-59-8	2-Naphthalenamine
U026	494-03-1	Naphthaleneamine, N,N'-bis(2-chloroethyl)-
U165	91-20-3	Naphthalene
U047	91-58-7	Naphthalene, 2-chloro-
U166	130-15-4	1,4-Naphthalenedione
U236	72-57-1	2,7-Naphthalenedisulfonic acid, 3,3'-[(3,3'-dimethyl-1,1'-biphenyl)-4,4'-diyl] bis(azo)bis[5-amino-4-hydroxy]-, tetrasodium salt
U166	130-15-4	1,4-Naphthoquinone
U167	134-32-7	alpha-Naphthylamine
U168	91-59-8	beta-Naphthylamine
U217	10102-45-1	Nitric acid, thallium (1+) salt
U169	98-95-3	Nitrobenzene (I,T)
U170	100-02-7	p-Nitrophenol
U171	79-46-9	2-Nitropropane (T)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U172	924-16-3	N-Nitrosodi-n-butylamine
U173	1116-54-7	N-Nitrosodiethanolamine
U174	55-18-5	N-Nitrosodiethylamine
U176	759-73-9	N-Nitroso-N-ethylurea
U177	684-93-5	N-Nitroso-N-methylurea
U178	615-53-2	N-Nitroso-N-methylurethane
U179	100-75-4	N-Nitrosopiperidine
U180	930-55-2	N-Nitrosopyrrolidine
U181	99-55-8	5-Nitro-o-toluidine
U183	1120-71-4	1,2-Oxathiolane, 2,2-dioxide
U193	50-18-0	2H-1,3,2-Oxazaphosphorin-2-amine, N,N-bis(2-chloroethyl)tetrahydro-, 2-oxide
U194	75-21-8	Oxirane (I,T)
U195	765-34-4	Oxiranecarboxaldehyde
U041	106-89-8	Oxirane, (chloromethyl)-
U182	123-63-7	Paraldehyde
U183	608-93-5	Pentachlorobenzene
U184	76-01-7	Pentachloroethane
U185	82-68-8	Pentachloronitrobenzene (PCNB)
See		
F027	87-86-5	pentachlorophenol
U161	108-10-1	Pentanol, 4-methyl-
U186	504-60-9	1,3-Pentadiene (I)
U187	62-44-2	Phenacetin
U188	108-95-2	Phenol
U048	95-57-8	Phenol, 2-chloro-
U039	59-50-7	Phenol, 4-chloro-3-methyl-
U081	120-83-2	Phenol, 2,4-dichloro-
U082	87-65-0	Phenol, 2,6-dichloro-
U089	56-33-1	Phenol, 4,4'-(1,2-diethyl-1,2-ethenediyl)bis-, (E)-
U101	105-67-9	Phenol, 2,4-dimethyl-
U052	1319-77-3	Phenol, methyl-
U132	70-30-4	Phenol,
U170	100-02-7	2,2'-methylenebis[3,4,6-trichloro-phenol, 4-nitro-
See		
F027	87-86-5	Phenol, Pentachloro-
See		
F027	58-90-2	Phenol, 2,3,4,6-tetrachloro-
See		
F027	95-95-4	Phenol, 2,4,5-trichloro-
See		
F027	88-06-2	Phenol, 2,4,6-trichloro-

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U150	148-82-3	L-Phenylalanine, 4-[bis(2-chloroethyl)amino]-
U145	7446-27-7	Phosphoric acid, lead (2+) salt (2:3)
U087	3288-58-2	Phosphorodithioic acid, O,O-diethyl S- methyl ester
U189	1314-80-3	Phosphorus sulfide (R)
U190	85-44-9	Phthalic anhydride
U191	109-06-8	2-Picoline
U179	100-75-4	Piperidine, 1-nitroso-
U192	23950-58-5	Pronamide
U194	107-10-8	1-Propanamine (I,T)
U111	621-64-7	1-Propanamine, N-nitroso-N-propyl-
U110	142-84-7	1-Propanamine, N-propyl- (I)
U066	96-12-8	Propane, 1,2-dibromo-3-chloro-
U083	78-87-5	Propane, 1,2-dichloro-
U149	109-77-3	Propanedinitrile
U171	79-46-9	Propane, 2-nitro- (I,T)
U027	108-60-1	Propane, 2,2'-oxybis[2-chloro-
See		
F027	93-72-1	Propanoic acid,
U193	1120-71-4	2-(2,4,5-trichlorophenoxy)-
U235	126-72-7	1,3-Propane sultone
		1-Propanol, 2,3-dibromo-, phosphate (3:1)
U140	78-83-1	1-Propanol, 2-methyl- (I,T)
U002	67-64-1	2-Propanone (I)
U007	79-06-01	2-Propenamide
U084	542-75-6	1-Propene, 1,3-dichloro-
U243	1888-71-7	1-Propene, 1,1,2,3,3,3-hexachloro-
U009	107-13-1	2-Propenenitrile
U152	126-98-7	2-Propenenitrile, 2-methyl- (I,T)
U008	79-10-7	2-Propenoic acid (I)
U113	140-88-5	2-Propenoic acid, ethyl ester (I)
U118	97-63-2	2-Propenoic acid, 2-methyl-, ethyl ester
U162	80-62-6	2-Propenoic acid, 2-methyl-, methyl ester (I,T)
See		
F027	93-72-1	Propionic acid,
U194	107-10-8	2-(2,4,5-trichlorophenoxy)-
U083	78-87-5	n-Propylamine (I,T)
U148	123-33-1	Propylene dichloride
U196	110-86-1	3,6-Pyridazinedione, 1,2-dihydro-
U191	109-06-8	Pyridine
		Pyridine, 2-methyl-

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U237	66-75-1	2,4-(1H,3H)-Pyrimidinedione, 5-[bis(2-chloroethyl)amino]-
U164	58-04-2	4(1H)-Pyrimidinone, 2,3-dihydro-6-methyl-2-thioxo-
U180	930-55-2	Pyroliidine, 1-nitroso-
U200	50-55-5	Reserpine
U201	108-46-3	Resorcinol
U202	P 81-07-2	Saccharin and salts
U203	94-59-7	Safrrole
U204	7783-00-8	Selenious acid
U204	7783-00-8	Selenium dioxide
U205	7488-56-4	Selenium sulfide
U205	7488-56-4	Selenium sulfide S(e)S(2) (R,T)
U015	115-02-6	L-Serine, diazoacetate (ester)
See		
F027	93-72-1	Silvex (2,4,5-TP)
U206	18883-66-4	Streptozotocin
U103	77-78-1	Sulfuric acid, dimethyl ester
U189	1314-80-3	Sulfur phosphide (R)
See		
F027	93-76-5	2,4,5-T
U207	95-94-3	1,2,4,5-Tetrachlorobenzene
U208	630-20-6	1,1,1,2-Tetrachloroethane
U209	79-34-5	1,1,2,2-Tetrachloroethane
U210	127-18-4	Tetrachloroethylene
See		
F027	58-90-2	2,3,4,6-Tetrachlorophenol
U213	109-99-9	Tetrahydrofuran (I)
U214	563-68-8	Thallium (I) acetate
U215	6333-73-9	Thallium (I) carbonate
U216	7791-12-0	Thallium (I) chloride
U216	7791-12-0	Thallium chloride TlCl
U217	10102-45-1	Thallium (I) nitrate
U218	62-55-5	Thioacetamide
U153	74-93-1	Thiomethanol (I,T)
U244	137-26-8	Thioperoxydicarbonic diamide
		[(H[2]N)C(S)][2]S[2](>, tetramethyl-
U219	62-56-6	Thiourea
U244	137-26-8	Thiram
U220	108-88-3	Toluene
U221	25376-45-8	Toluenediamine
U223	26471-62-5	Toluene diisocyanate (R,T)
U328	95-53-4	o-Toluidine
U353	106-49-0	p-Toluidine
U222	636-21-5	o-Toluidine hydrochloride

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U011	61-82-5	1H-1,2,4-Triazol-3-amine
U277	79-00-5	1,1,2-Trichloroethane
U228	79-01-6	Trichloroethylene
U121	75-69-4	Trichloromonofluoromethane
See		
F027	95-95-4	2,4,5-Trichlorophenol
See		
F027	88-06-2	2,4,6-Trichlorophenol
U234	99-35-4	1,3,5-Trinitrobenzene (R,T)
U182	123-63-7	1,3,5-Trioxane, 2,4,6-trimethyl-
U235	126-72-7	Tris(2,3-dibromopropyl) phosphate
U236	72-57-1	Trypan blue
U237	66-75-1	Uracil mustard
U176	759-73-9	Urea, N-methyl-N-nitroso-
U177	684-93-5	Urea, N-methyl-N-nitroso-
U043	75-01-4	Vinyl chloride
U248	P 81-81-2	Warfarin, and salts, when present at concentrations of 0.3% or less
U239	1330-20-7	Xylene (I)
U200	50-55-5	Yohimban-16-carboxylic acid, 11,17-dimethoxy-18-[(3,4,5-trimethoxybenzoyl)oxy]-, methyl ester,
		(3beta,16beta,17alpha,18beta,20alpha)-
U249	1314-84-7	Zinc phosphide Zn[3]P[2], when present at concentrations of 10% or less

(Source: Amended at 18 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Section 721. APPENDIX H Hazardous Constituents

Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Acetonitrile	Same	75-05-8	U003
Acetophenone	Ethanone, 1-phenyl-	98-86-2	U004
2-Acetylaminofluorene	Acetamide, N-9H-fluoren-2-yl-	53-96-3	U005
Acetyl chloride	Same	75-36-5	U006
1-Acetyl-2-thiourea	Acetamide,	591-08-2	P002
Acrolein	N-(aminothioxomethyl)-2-Propenal	107-02-8	P003
Acrylamide	2-Propenamide	79-06-1	U007
Acrylonitrile	2-Propenenitrile	107-13-1	U009
Aflatoxins	Same	1402-68-2	P070
Aldicarb	Propanal, 2-methyl-2-(methylthio)-, 0-[(methylamino)carbonyl] oxime	116-06-3	
Aldrin	1,4,5,8-Dimeth- anonaphthalene, 1,2,3,4,10,10-hexachloro- 1,4,4a,5,8,8a-hexahydro-, 1-alpha, 4-alpha 4a-beta, 5-alpha, 8-alpha 8a-beta)-	309-00-2	P004
Allyl alcohol	2-Propen-1-ol	107-18-6	P005
Allyl chloride	1-Propene, 3-chloro-	107-18-6	
Aluminum phosphide	Same	20859-73-8	P006
4-Aminobiphenyl	[1,1'-Biphenyl] -4-amine	92-67-1	
5-(Aminomethyl)-3-isoxazolol	3(2H)-isoxazolone, 5-(aminomethyl)-	2763-96-4	P007
4-Aminopyridine	4-Pyridinamine	504-24-5	P008
Amitrole	1H-1,2,4-Triazol-3-amine	61-82-5	U011
Ammonium vanadate	Vanadic acid, ammonium salt	7803-55-6	U119
Aniline	Benzenamine	62-53-3	U012
Antimony	Same	7440-36-0	
Antimony compounds, N.O.S. (not otherwise specified)	Sulfurous acid, 2-[4- 2-chloroethyl-, 2-[4- (1,1-dimethylethyl)phenoxy] -1-methylethyl ester	140-57-8	
Aramite	Arsenic	7440-38-2	
Arsenic			
Arsenic compounds, N.O.S.			

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Arsenic acid	Arsenic acid H[3]As[10]{4}	7778239-4	P010
Arsenic pentoxide	Arsenic oxide As[2]O[5]	1303-28-2	P011
Arsenic trioxide	Arsenic oxide As[2]O[3]	1327-53-3	P012
Auramine	Benzenamine, 4,4'- carbonimidoylbis[N, N-dimethyl- L-Serine, diazoacetate (ester)	492-80-8	U014
Azaserine	Same	115-02-6	U015
Barium	Barium compounds, N.O.S.	7440-39-3	
Barium cyanide	Same	542-62-1	P013
Benz[c]lactidine	Same	225-51-4	U016
Benz[a]anthracene	Same	56-55-3	U018
Benzal chloride	Same	98-87-3	U017
Benzene	Benzene, (dichloromethyl)-	71-43-2	U018
Benzenearsonic acid	Arsenic acid, phenyl- [1,1'-Biphenyl] -4,4'-diamine	98-05-5	U021
Benzidine	Same	92-87-5	
Benzo[b]fluoranthene	Benzo[e]acephenanthrylene	205-99-2	
Benzo[j]fluoranthene	Same	205-82-3	
Benzo[k]fluoranthene	Same	207-08-9	
Benzo[a]pyrene	Same	50-32-8	U022
p-Benzoquinone	2,5-Cyclohexadiene- 1,4-dione	106-51-4	U197
Benzotrichloride	Benzene, (trichloromethyl)-	98-07-7	U023
Benzyl chloride	Benzene, (chloromethyl)-	100-44-7	P028
Beryllium powder	Same	7440-41-7	P015
Beryllium compounds, N.O.S.			
Bromoacetone	2-Propanone, 1-bromo	598-31-2	P017
Bromoform	Methane, tribromo-	75-25-2	U025
4-Bromophenyl phenyl ether	Benzene	101-55-3	U030
Brucine	1-bromo-4-phenoxy strychnidin-10-one, 2,3-dimethoxy-	357-57-3	P018
Butyl benzyl phthalate	1,2-Benzenedicarboxylic acid, butyl phenylmethyl ester	85-68-7	
Cacodylic acid	Arsenic acid, dimethyl-	75-60-5	U136
Cadmium	Same	7440-43-9	
Cadmium compounds, N.O.S.			
Calcium chromate	Chromic acid H[2>]CrO[4], calcium salt	13765-19-0	U032
Calcium cyanide	Calcium cyanide Ca(CN)[2]	592-01-8	P021

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Carbon disulfide	Same	75-15-0	P022
Carbon oxyfluoride	Carbonic difluoride	353-50-4	U033
Carbon tetrachloride	Methane, tetrachloro-	56-23-5	U211
Chloral	Acetaldehyde, trichloro-	75-87-6	U034
Chlorambucil	Benzenebutanoic acid	305-03-3	U035
	4-[bis(2-chloroethyl)amino]-4,7-methano-1H-indene, 1,2,4,5,6,7,8,8-octachloro-2,3,3a,4,7,7a-hexahydro-	57-74-9	U036
Chlordane			
Chlordane, alpha and gamma isomers		U036	
Chlorinated benzenes, N.O.S.			
Chlorinated ethane, N.O.S.			
Chlorinated fluorocarbons, N.O.S.			
Chlorinated naphthalene, N.O.S.			
Chlorinated phenol, N.O.S.			
Chloroaniline	Naphthalenamine, N, 1-bis(2-chloroethyl)-	494-03-1	U026
Chloroacetaldehyde	Acetaldehyde, chloro-	107-20-0	P023
Chloroalkyl ethers, N.O.S.			
p-Chloroaniline	Benzenamine, 4-chloro-	06-47-8	P024
Chlorobenzene	Benzene, chloro-	108-90-7	U037
Chlorobenzilate	Benzenecetic acid, 4-chloro-alpha-	510-15-6	U038
	(4-chlorophenyl)-alpha-hydroxy-, ethyl ester		
p-Chloro-m-cresol	Phenol, 4-chloro-3-methyl-	59-50-7	U039
2-Chloroethyl vinyl ether	Ethene, (2-chloroethoxy)-	110-75-8	U042
Chloroform	Methane, trichloro-	67-66-3	U044
Chloromethyl methyl ether	Methane, chloromethoxy-	107-30-2	U046
beta-Chloronaphthalene	Naphthalene, 2-chloro-	91-58-7	U047
o-Chlorophenol	Phenol, 2-chloro-	95-57-8	U048
1-(o-Chlorophenyl) thiourea	Thiourea, (2-chlorophenyl)-	5344-82-1	P026
Chloroprene	1,3-Butadiene, 2-chloro-	126-99-8	

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
3-Chloropropionitrile	Propanenitrile, 3-chloro-	542-76-7	P027
Chromium	Same	7440-47-3	
Chromium compounds, N.O.S.			
Chrysene	Same	218-01-9	U050
Citrus red No. 2	2-Naphthalenol, 1-[(2,5-dimethoxyphenyl)azo]-	6358-53-8	
Coal tar creosote	Same		
Copper cyanide	Copper cyanide CuCN	8007-45-2	P029
Creosote	Same	544-92-3	U051
Cresols (Cresylic acids)	Phenol, methyl-	1319-77-3	U052
Crotonaldehyde	2-Butenal	4170-30-3	U053
Cyanides (soluble salts and complexes), N.O.S.			P030
Cyanogen	Ethanedinitrile	460-19-5	P031
Cyanogen bromide	Cyanogen bromide (CN)Br	506-68-3	U246
Cyanogen chloride	Cyanogen chloride (CN)Cl	506-77-4	P033
Cycasin	Beta-D-glucopyranoside, (methyl-ONN-azoxy)methyl	14901-08-7	
2-Cyclohexyl-4,6-dinitrophenol	Phenol, 2-cyclohexyl-4,6-dinitro-	131-89-5	P034
Cyclophosphamide	2H-1,3,2-Oxaphosphorin-2-amine, N,N-bis(2-chloroethyl) tetrahydro-, 2-oxide	50-18-0	U058
	Acetic acid, (2,4-dichlorophenoxy)-		
2,4-D, salts and esters	Acetic acid, (2,4-dichlorophenoxy)-, salts and esters	94-75-7	U240
	5,12-Naphthacenedione, 8-acetyl-10-[(3-amino-2,3,6-trideoxy-alpha-L-lyxohexopyranosyl)oxy]-7,8,9,10-tetrahydro-6,8,11-trihydroxy-1-methoxy-, 8S-cis-	20830-81-3	U059
DDD	Benzene, 1,1'-(2,2-dichloroethylidene)bis(4-chloro-	72-54-8	U060

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number	Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
DDE	Benzene 1, 1'-(dichloroethenylidene)bis [4-chloro-	72-55-9		Dichloromethoxyethane	Ethane, 1,1'-(methylenebis(oxy)bis-(2-chloro-	111-91-1	U024
DDT	Benzene, 1, 1'-(2, 2-trichloroethylidene) bis(4-chloro-	50-29-3	U061	Dichloromethyl ether	Methane, oxybis(chloro-	542-88-1	P016
Diallate	Carbamothioic acid, bis(1-methylethyl)-, S-(2, 3-dichloro-2-propenyl) ester	2303-16-4	U062	2,4-Dichlorophenol	Phenol, 2,4-dichloro-	120-83-2	U081
	Same			2,6-Dichlorophenol	Phenol, 2,6-dichloro-	87-65-0	U082
Dibenz[a,h]acridine	Same	226-36-8		Dichloro	Arsonous dichloride, phenylpropane, dichloro-	696-28-6	P036
Dibenz[a,j]acridine	Same	224-42-0		Dichloropropane, N.O.S.	Propane, dichloro-	26638-19-7	
Dibenz[a,h]anthracene	Same	53-70-3	U063	Dichloropropanol, N.O.S.	Propanol, dichloro-	26545-73-3	
7H-Dibenzof[c,g]carbazole	Same	194-59-2		Dichloropropene, N.O.S.	1-Propene, dichloro-	26952-23-8	
Dibenzof[a,e]pyrene	Naphtho[1,2,3,4-def]chrysene	192-65-4		1,3-Dichloropropene	1-Propene, 1,3-dichloro-	542-75-6	U084
Dibenzo[a,h]pyrene	189-64-0			Dieldrin	2,7,3,6-Dimethanonaphth	60-57-1	P037
Dibenzo[a,i]pyrene	Dibenzo[b,def]chrysene	189-55-9	U064		[2, 3-b]oxirene, 3, 4, 5, 6, 9, 9-hexachloro-1a, 2, 2a, 3, 6, 6a, 7, 7a-octahydro-, (1a alpha, 2 beta, 2a alpha, 3 beta, 6 beta, 6a alpha, 7 beta, 7a alpha)-		
1,2-Dibromo-3-chloropropane	Benzo[rs]pentaphene propane, 1,2-dibromo-3-chloro-1,2-Benzenedicarboxylic acid, dibutyl ester	96-12-8	U066	1,2:3,4-Diepoxybutane	2,2'-Bioxirane	1464-53-5	U085
Dibutyl phthalate	Benzenes, 1,2-dichloro-	84-74-2	U069	Diethylarsine	Arsine, diethyl-	692-42-2	P038
o-Dichlorobenzene	Benzenes, 1,3-dichloro-	95-50-1	U070	1,4-Diethylenedioxi	1,4-Dioxane	123-91-1	U108
m-Dichlorobenzene	Benzenes, 1,4-dichloro-	541-73-1	U071	Diethylhexyl phthalate	1,2-Benzenedicarboxylic acid, bis(2-ethylhexyl) ester	117-81-7	U028
p-Dichlorobenzene	Benzenes, dichloro-, [1, 1'-Biphenyl]-4, 4'-diamine, 3, 3'-dichloro-	106-46-7	U072		Hydrazine, 1,2-diethyl-		
Dichlorobenzene, N.O.S.	91-94-1		U073	N,N'-Diethylhydrazine		1615-80-1	U086
3,3'-Dichlorobenzidine	4'-diamine, 3, 3'-dichloro-			O,O-Diethyl S-methyl dithiophosphate	Phosphorodithioic acid, O,O-diethyl S-methyl ester-	3288-58-2	U087
1,4-Dichloro-2-butene	2-Butene, 1,4-dichloro-	764-41-0	U074				
Dichlorodifluoromethane	Methane, dichlorodifluoro-	75-71-8	U075	Diethyl-p-nitrophenyl phosphate	Phosphoric acid, diethyl 4-nitrophenyl ester	311-45-5	P041
Dichloroethylene	Dichloroethylene	25323-30-2		Diethyl phthalate	1,2-Benzenedicarboxylic acid, diethyl ester-	84-66-2	U088
N.O.S.-							
1,1-Dichloroethylene	Ethene, 1,1-dichloro-	75-35-4	U078				
1,2-Dichloroethylene	Ethene, 1,2-dichloro-, (E)-	156-60-5	U079				
Dichloroethyl ether	Ethane, 1,1'-oxybis[2-chloro-	111-44-4	U025				
	Propane, 2,2'-oxybis[2-chloro-	108-60-1	U027				

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number	Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
O,O-Diethyl O-pyrazinyl phosphorothioate	Phosphorothioic acid, O,O-diethyl O-pyrazinyl ester-	297-97-2	P040	Dinoseb	1,3-dinitro-Phenol, 2-(1-methylpropyl)-4,6-dinitro-	88-85-7	P020
Diethylstilbestrol	Phenol, 4,4'-(1,2-diethyl-1,2-ethenediyl)bis-, (E)-	56-53-1	U089	Di-n-octyl phthalate	1,2-Benzenedicarboxylic acid, dioctyl ester	117-84-0	U107
Dihydrosaffrole	1,3-Benzodioxole, 5-propyl-	94-58-6	U090	Diphenylamine	Benzenamine, N-phenyl-	122-39-4	U109
Disopropyl fluorophosphate (DFP)	Phosphorofluoridic acid, bis(1-methylethyl) ester-	55-91-4	P043	1,2-Diphenylhydrazine	Hydrazine, 1,2-diphenyl-	122-66-7	U109
Dimethoate	Phosphorodithioic acid, O,O-dimethyl S-(2-(methylamino))-2-oxoethyl ester	60-51-5	P044	Di-n-propyl nitrosamine	1-Propanamine, N-nitroso-N-propyl-	621-64-7	U111
3,3'-Dimethoxy benzidine	Phenol, 2,4-dimethyl-4,4'-diamine, 3,3'-dimethoxy-	119-90-4	U091	Disulfoton	Phosphorodithioic acid, O,O-diethyl S-(2-(ethylthio)ethyl) ester	298-04-4	P039
p-Dimethylamino azobenzene	Benzenamine, N,N-dimethyl-4-(phenylazo)-	60-11-7	U093	Dithiobiuret	Thioimidodicarbonic diamide [(H2[2N]C(S))2[2NH	541-53-7	P049
7,12-Dimethylbenz[a]anthracene	Benz-[a]anthracene, 7,12-dimethyl-	57-97-6	U094	Endosulfan	6,9-Methano-2, 4, 3-benzodioxathiepen, 6, 7, 8, 9, 10, 10-hexachloro-1, 5, 5a, 6, 9, 9a-	115-29-7	P050
3,3'-Dimethyl benzidine	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethyl-	119-93-7	U095	Endothal	7-Oxabicyclo[2.2.1]heptane-2,3-dicarboxylic acid	145-73-3	P088
Dimethylcarbamoyl chloride	Carbamic chloride, dimethyl-	79-44-7	U097	Endrin-	2,7:3,6-Dimethanonaphth[2, 3-b]oxirane, 3, 4, 5, 6, 9, 9-hexachloro-1a, 2, 2a, 3, 6, 6a, 7, 7a-octahydro-, (1a alpha, 2 beta, 2a beta, 3 alpha, 6 alpha, 6a beta, 7 beta, 7a alpha)-, dimethyl-	72-20-8	P051
1,1-Dimethylhydrazine	Hydrazine, 1,1-dimethyl-	57-14-7	U098	Endrin metabolites	Oxirane, (chloromethyl)-	106-89-8	P051
1,2-Dimethylhydrazine	Hydrazine, 1,2-dimethyl-	540-73-8	U099	Epichlorohydrin	1,2-Benzenediol, 1,2-hydroxy-2-(methylamino)ethyl]-, (B)-	51-43-4	U041
alpha, alpha-Dimethyl phenethylamine	Benzenethanamine, alpha, alpha-dimethyl-	122-09-8	P046	Epinephrine	4-[1-hydroxy-2-(methylamino)ethyl]-, (B)-	51-43-4	P042
2,4-Dimethylphenol	Phenol, 2,4-dimethyl-	105-67-9	U101	Ethyl carbamate (urethane)	Carbamic acid, ethyl ester	51-79-6	U238
Dimethylphthalate	1,2-Benzenedicarboxylic acid, dimethyl ester	131-11-3	U102	Ethyl cyanide	Propanenitrile	107-12-0	P101
Dimethyl sulfate	Sulfuric acid, dimethyl ester	77-78-1	U103	Ethylenebisdithio carbamic acid	Carbamodithioic acid, -1,2-ethanedilybis-	111-54-6	U114
Dinitrobenzene, N.O.S.	Benzene, dinitro	25154-54-5	P047	Ethylenebisdithiocarbamic acid, salts and esters	Ethane, 1,2-dibromo-	106-93-4	U067
4,6-Dinitro-o-cresol	Phenol, 2-methyl-4,6-dinitro-	534-52-1	P047	Ethylene dibromide	Ethane, 1,2-dichloro-	107-06-2	U077
4,6-Dinitro-o-cresol salts							
2,4-Dinitrophenol	Phenol, 2,4-dinitro-	51-28-5	P048				
2,4-Dinitrotoluene	Benzene, 1-methyl-2,4-dinitro-	121-14-2	U105				
2,6-Dinitrotoluene	Benzene, 2-methyl-	606-20-2	U106				

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number	Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Lead	7(2S*, 3R*), 7a alpha]]-Same	7439-92-1		Methylene bromide	Methane, dibromo-	74-95-3	U068
Lead and compounds, N.O.S.				Methylene chloride	Methane, dichloro-	75-09-2	U080
Lead acetate	Acetic acid, lead (2+) salt	301-04-2	U144	Methyl ethyl ketone (MEK)	2-Butanone	78-93-3	U159
Lead phosphate	Phosphoric acid, lead (2+) salt (2:3)	7446-27-7	U145	Methyl ethyl ketone peroxide	2-Butanone, peroxide	1338-23-4	U160
Lead subacetate	Lead, bis(acetato-O) tetrahydroxytri-	1335-32-6	U146	Methyl hydrazine	Hydrazine, methyl-	60-34-4	P068
Lindane	Cyclohexane, 1,2,3,4,5,6-hexachloro-, 1 alpha, 2 alpha, 3 beta, 4 alpha, 5 alpha, 6 beta)-5 alpha, 6 beta)-2,5-Furandione	58-89-9	U129	Methyl iodide	Methane, iodo-	74-88-4	U138
Maleic anhydride	3,6-Pyridazinedione, 1,2-dihydro-(Propane dinitrile-	108-31-6	U147	Methyl isocyanate	Methane, isocyanato-	624-83-9	P064
Maleic hydrazide	Propanedinitrile	123-33-1	U148	2-Methyl lactonitrile	Propanenitrile, 2-hydroxy-2-methyl-	75-86-5	P069
Malononitrile	L-Phenylalanine, 4-(bis(2-chloroethyl)amino)]-Same	109-77-3	U149	Methyl methacrylate	2-Propenoic acid, 2-methyl-, methyl ester	80-62-6	U162
Melphalan	Fulminic acid, mercury (2+) salt	148-82-3	U150	Methyl methanesulfonate	Methanesulfonic acid, methyl ester	66-27-3	
Mercury	2-Propenenitrile, 2-methyl-	7439-97-6	U151	Methyl parathion	Phosphorothioic acid, O,O-dimethyl O-(4-nitrophenyl) ester	298-00-0	P071
Mercury compounds, N.O.S.	dimethyl-N'-2-pyridinyl-N'-(2-thienylmethyl)-	628-86-4	P065	Methylthiouracil	Pyrimidinone, 2,3-dihydro-6-methyl-2-thioxo-	56-04-2	U164
Mercury fulminate	Ethanimidothioic acid, N-[(methyldamino)carbonyl]oxy]-, methyl ester	126-98-7	U152	Mitomycin C	Azirino[2', 3':3, 4]pyrrolo[1,2-a]indole-4,7-dione, 6-amino-8-[[[aminocarbonyl]oxy]methyl]-1, la, 2, 8, 8a, 8b-hexahydro-8a-methoxy-5-methyl-, [1a-S-(1a alpha, 8 beta, 8a alpha, alpha)]-, Guanidine, N-methyl-N'-nitro-N-nitroso-	50-07-7	U010
Methacrylonitrile	Benzene, 1,1'-(2,2,2-trichloroethylidene) bis[4-methoxy-	91-80-5	U155	Mustard gas	Ethane, 1,1'-thiobis [2-chloro-	70-25-7	U163
Methapyrilene	Methane, bromo-	16752-77-5	P066	Naphthalene	Same	505-60-2	U165
Metholmyl	Methane, chloro-	72-43-5	U247	1,4-Naphthoquinone	1,4-Naphthalenedione	91-20-3	U165
Methoxychlor	Carbonochloridic acid, methyl ester	74-83-9	U029	1-Naphthalenamine	134-32-7	130-15-4	U166
Methyl bromide	Ethane, 1,1,1-trichloro-	74-87-3	U045	beta-Naphthylamine	2-Naphthalenamine	U167	U168
Methyl chloride	1,2-dihydro-3-methylbenzenamine, 4,4'-methylenebis[2-chloro-	79-22-1	U156	alpha-Naphthyl thiourea	Thiourea, 1-naphthalenyl-	91-59-8	P072
Methylchlorocarbonate				Nickel	Same	7440-02-0	
Methyl chloroform				Nickel compounds, N.O.S.			
3-Methylcholanthrene				Nickel carbonyl	Nickel carbonyl Ni(CO)[4], (T-4)-	13463-39-3	P073
4,4'-Methylenebis(2-chloroaniline)				Nickel cyanide	Nickel cyanide	557-19-7	P074

POLLUTION CONTROL BOARD

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number	Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Nicotine	Ni(CN)[2] Pyridine,3 -(1-methyl-2-pyrrolidinyl)-, (S)-	54-11-5	P075	N-Nitrosopiperidine N-Nitrosopyrrolidine N-Nitrososarcosine	Piperidine, 1-nitroso- Pyrrolidine, 1-nitroso- Glycine, N-methyl -N-nitroso- Benzenamine, 2-methyl- 5-nitro- Diphosphoramide, octamethyl- pyrophosphoramide Osmium oxide OsO4, (T-4)[5]	100-75-4 930-55-2 13256-22-9 99-55-8 152-16-9 20816-12-0	U179 U180 U181 P085 P087
Nicotine salts Nitric oxide p-Nitroaniline Nitrobenzene Nitrogen dioxide Nitrogen mustard Nitrogen mustard, hydrochloride salt Nitrogen mustard N-oxide	Nitrogen oxide NO Benzenamine, 4-nitro Benzene, nitro Nitrogen oxide NO[2] Ethanamine, 2-chloro-N- (2-chloroethyl)-N-methyl- N-oxide Ethanamine, 2-chloro-N- (2-chloroethyl)-N-methyl- N-oxide	10102-43-9 100-01-6 98-95-3 10102-44-0 51-75-2 126-85-2	P075 P076 P077 P078 P078	5-Nitro-o-toluidine Octamethyl pyrophosphoramide Osmium tetroxide Paraldehyde Parathion	1,3,-Trioxane, 2,4,6-trimethyl Phosphorothioic acid, O,O-diethyl O- (4-nitrophenyl) ester Benzene, pentachloro	123-63-7 56-38-2	U182 P089
Nitrogen mustard, N-oxide, hydrochloride salt Nitroglycerin	1,2,3-Propanetriol, trinitrate Phenol, 4-nitro Propane, 2-nitro	55-63-0 100-02-7 79-46-9	P081 U170 U171	Pentachlorobenzene Pentachlorodibenzo -p-dioxins Pentachlorodibenzo furans	608-93-5		U183
p-Nitrophenol 2-Nitropropane Nitrosamines, N.O.S. N-Nitrosodi-n-butylamine N-Nitrosodiethanolamine	1-Butanamine, N-butyl- N-butyl-N-nitroso- Ethanol, 2,2'- (nitrosoimino)bis Ethanamine, N-ethyl-N -nitroso Methanamine, N- methyl-N-nitroso- Urea, N-ethyl-N-nitroso- Ethanamine, N-methyl- N-nitroso Urea, N-methyl-N-nitroso- Carbamic acid, methyl nitroso-, ethyl ester Vinylamine, N-methyl-N-nitroso- Morpholine, 4-nitroso Pyridine, 3-(1-nitroso- 2-pyrrolidinyl)-, (S)-	35576-91-1 924-16-3 1116-54-7 55-18-5 62-75-9 759-73-9 10595-95-6 684-93-5 615-53-2 4549-40-0 59-89-2 16543-55-8	U172 U173 U174 P082 U176 U177 U178 P084	nitro- nitrobenzene (PCNB) Pentachlorophenol Phenacetin Phenol Phenylenediamine Phenylmercury acetate Phenylthiourea Phosgene Phosphine Phorate Phthalic acid esters, N.O.S. Phthalic anhydride 2-Picoline Polychlorinated biphenyls, N.O.S. Potassium cyanide	76-01-7 82-68-8 87-86-5 62-44-2 108-95-2 25265-76-3 62-38-4 103-85-5 75-44-5 7803-51-2 298-02-2 85-44-9 109-06-8 151-50-8	U184 U185 See F027 U187 U188 P092 P093 P095 P096 P094 U190 U191 P098	

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Potassium silver cyanide	Argentate(1-), bis(cyano-C)-, potassium	506-61-6	P099
Potassium pentachlorophenate Pronamide	Pentachlorophenol, potassium salt Benzamide, 3,5-dichloro	7778736 23950-58-5	None U192
1,3-Propane sultone	-N-(1,1-dimethyl-2-propenyl)- 1,2-Oxathiolane, 2,2-dioxide	1120-71-4	U193
n-Propylamine	1-Propanamine	107-10-8	U194
Propargyl alcohol	2-Propyn-1-ol	107-19-7	P102
Propylene dichloride	Propane, 1,2-dichloro-	78-87-5	U083
1,2-Propylenimine	Aziridine, 2-methyl-	75-55-8	P067
Propylthiouracil	4(1H)-Pyrimidinone, 2,3-dihydro-6-propyl-2-thioxo-	51-52-5	
Pyridine	Same	110-86-1	U196
Reserpine	Xinibanz-16-carboxylic acid, 11, 17-dimethoxy-18-[(3, 4, 5-trimethoxybenzoyl)oxy]-, methyl ester, (3 beta, 16 beta, 17 alpha, 18 beta, 20 alpha)-, 1,3-Benzenediol	50-55-5	U200
Resorcinol	1,3-Benzenediol	108-46-3	U201
Saccharin	Benzisothiazol-3(2H)-one, 1,1-dioxide	81-07-2	U202
Saccharin salts	Same	U202	
Safrole	1,3-Benzodioxole, 5-(2-propenyl)- Same	94-59-7 94-59-7 7782-49-2	U203 U203
Selenium	Selenious acid	7783-00-8	U204
Selenium compounds	Selenium sulfide	7488-56-4	U205
N.O.S.	SeS(2)	630-10-4	P103
Selenium dioxide	Same	7440-22-4	
Selenium sulfide	Same	7440-22-4	
Selenourea	Same	506-64-9	P104
Silver	Same	93-72-1	See F027
Silver compounds, N.O.S.	Silver cyanide AgCN		
Silver cyanide	Propanoic acid, 2-(2,4,5-		

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Sodium cyanide	trichlorophenoxy)-Sodium cyanide NaCN	143-33-9	P106
Sodium pentachlorophenate	Pentachlorophenol, sodium salt	131522	None
Streptozotocin	D-Glucose, 2-deoxy-2-[(methylnitrosoamino)carbonylamino]-	18883-66-4	U206
Strychnine	Strychnidin-10-one	57-24-9	P108
Strychnine salts	Same		
TCDD	Dibenzo[b,e][1,4]dioxin, 2,3,7,8-tetrachloro-	1746-01-6	P108
1,2,4,5-Tetra chlorobenzene	Benzene, 1,2,4,5-tetrachloro	95-94-3	U207
Tetrachlorodibenzo-p-dioxins	Same		
Tetrachlorodi benzofurans	Same		
Tetrachloroethane, N.O.S.	Ethane, tetrachloro-, N.O.S.	25322-20-7	
1,1,1,2-Tetra chloroethane	Ethane, 1,1,1,2-tetrachloro-	630-20-6	U208
1,1,2,2-Tetra chloroethane	Ethane, 1,1,2,2-tetrachloro-	79-34-5	U209
Tetrachloroethylene	Ethene, tetrachloro-	127-18-4	U210
2,3,4,6-Tetra potassium salt	Phenol, 2,3,4,6-Same	58-90-2 53535276	See F027 None
2,3,4,6-Tetrachlorophenol, sodium salt	Same	25567559	None
chlorophenol	tetrachloro-		
Tetraethyldithio pyrophosphate	Thiodiphosphoric acid, tetraethyl ester	3689-24-5	P109
Tetraethyl lead	Plumbane, tetraethyl	78-00-2	P110
Tetraethylpyro phosphate	Diphosphoric acid, tetraethyl ester	107-49-3	P111
Tetranitromethane	Methane, tetranitro-	509-14-8	P112
Thallium compounds	Same	7440-28-0	
Thallic oxide	Thallium oxide Tl[2O(3)]	1314-32-5	P113
Thallium (I) acetate	Acetic acid, thallium (1+) salt	563-68-8	U214
Thallium (I) carbonate	Carbonic acid, dithallium (1+) salt	6533-73-9	U215

POLLUTION CONTROL BOARD

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number	Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Thallium (I) chloride	Thallium chloride	7791-12-0	U216	2,4,5-T	-trichloro Acetic acid, (2,4,5-trichlorophenoxy)-	93-76-5 25735-29-9	See F027
Thallium (I) nitrate	Nitric acid, thallium (1+) salt	10102-45-1	U217	Trichloropropane, N.O.S.	Propane, 1,2,3-trichloro	96-18-4	
Thallium selenite	Selenious acid, dithallium (1+) salt	12039-52-0	Pl14	1,2,3-Trichloropropane	O,O,O-Triethyl phosphorothioate	126-68-1	
Thallium (I) sulfate	Sulfuric acid, dithallium (1+) salt	7446-18-6	Pl15	O,O,O-Triethyl phosphorothioate	Benzene, 1,3,5-trinitro-	99-35-4	U234
Thioacetamide	Ethanethioamide	62-55-5	U218	-Trinitrobenzene	Aziridine, 1,1',1''-phosphino	52-24-4	
Thiofanox	2-Butanone, 3,3-dimethyl-1-(methylthio)-, O-(methylamino) carbonyl]-oxime	39196-18-4	P045	Tris(1-aziridinyl) phosphine sulfide	1-Propanol, 2,3-dibromo-, phosphate (3:1)	126-72-7	U235
Thiomethanol	Methanethiol	74-93-1	U153	Trypan blue	2,7-Naphthalenedisulfonic acid, 3,3'-(3,3'-dimethyl [1,1'-biphenyl]-4,4'-diyl)bis(azo)bis[5-amino-4-hydroxy-, tetrasodium salt	72-57-1	U236
Thiophenol	Benzenethiol	108-98-5	P014	Tris(2,3-dibromopropyl) phosphate			
Thiosemicarbazide	Hydrazinecarbothioamide	79-19-6	Pl16				
Thiourea	Same	62-56-6	P219				
Thiram	Thioperoxydicarbonic diamide [(H ₂ N)C(S)] ₂ S[2], tetramethyl-	137-26-8	U244	Uracil mustard		2056-25-9 66-75-1	U237
Toluene	Benzene, methyl-	108-88-3	U220	Vanadium pentoxide		1314-62-1	Pl20
Toluenediamine	Benzenediamine, ar-methyl-	25376-45-8	U221	Vinyl chloride		75-01-4	U043
Toluene-2,4-diamine	1,3-Benzenediamine, 4-methyl-	95-80-7		Warfarin		81-81-2	U248
Toluene-2,6-diamine	1,3-Benzenediamine, 2-methyl-	823-40-5					
Toluene-3,4-diamine	1,2-Benzenediamine, 4-methyl-	496-72-0					
Toluene diisocyanate	Benzene, 1,3-diisocyanatomethyl	26471-62-5	U223				
o-Toluidine	Benzenamine, 2-methyl-	95-53-4	U328				
o-Toluidine hydrochloride	Benzenamine, 2-methyl-, hydrochloride	636-21-5	U222				
p-Toluidine	Benzenamine, 4-methyl-	106-49-0	U353				
Toxaphene	Same	8001-35-2	Pl23				
1,2,4-Trichlorobenzene	Benzene, 1,2,4-trichloro-	120-82-1		Warfarin		81-81-2	P001
1,1,2-Trichloroethane	Ethane, 1,1,2-trichloro-	79-00-5	U227				
Trichloroethylene	Ethene, trichloro-	79-01-6	U228				
Trichloromethanethiol	Methanethiol, trichloro-	75-70-7	Pl18	Warfarin salts, when present at concentrations less than 0.3%.			U248
Trichloromono fluoromethane	Methane, trichlorofluoro-	75-69-4	U121				
2,4,5-Trichlorophenol	Phenol, 2,4,5-trichloro-	95-95-4	See F027				P001
2,4,6-Trichlorophenol	Phenol, 2,4,6	88-06-2	See F027				

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
greater than 0.3%.			
Zinc cyanide	Zinc cyanide Zn(CN)[2]	557-21-1	P121
Zinc phosphide	Zinc phosphide P[2]Zn[3], when present at concentrations greater than 10%.	1314-84-7	P122
	Zinc phosphide		
Zinc phosphide	P[2]Zn[3], when present at concentrations of 10% or less.	1314-84-7	U249

(Source: Amended at 18 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Interim Status Standards For Owners And Operators Of Hazardous Waste Treatment, Storage, And Disposal Facilities
- 2) Code citation: 35 Ill. Adm. Code 725
- 3) Section numbers: Proposed action:
- 725.152 Amendment
- 725.156 Amendment
- 725.Appendix A Amendment
- 4) Statutory authority: Ill. Rev. Stat. 1991, ch. 111, pars. 1022.4 and 1027 [415 ILCS 5/22.4 and 27].
- 5) A complete description of the subjects and issues involved:

A more detailed description is contained in the Board's Proposed Opinion of August 11, 1994, in R94-17, which Opinion is available from the address below. Section 22.4(a) of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1022.4(a)) [415 ILCS 5/22.4(a)] provides that Section 5 of the Administrative Procedure Act (Ill. Rev. Stat. 1991 ch. 127, par. 1005-35 and 1005-40) [5 ILCS 100/5-35 and 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

This rulemaking updates Parts 704, 720, 721, 724, 725, 728, and 739 of the Illinois RCRA Subtitle C hazardous waste rules to correspond with amendments adopted by U.S. EPA which appeared in the Federal Register during the period January 1 through June 30, 1994. During this period, U.S. EPA amended its regulations as follows:

Federal Action

Summary

59 Fed. Reg. 458,
January 4, 1994

Determination not to regulate wastes from wood surface protection as listed hazardous wastes; update of SW-846 to include a new method; addition of four chemicals to listing of hazardous constituents

59 Fed. Reg. 8362,
February 18, 1994

Amendment of treatability study exclusion from definition of solid waste

59 Fed. Reg. 10550,
March 4, 1994

Clarification of used oil regulations to clarify that used oil mixed with crude oil or natural gas liquids are exempted from the used oil regulations; exemption of crude oil

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

mixed with small amounts of used oil that is destined for insertion into a refining process; exclusions for certain activities from regulation as used oil processing

59 Fed. Reg. 13891,
March 24, 1994
Amendment of handling codes for periodic T/S/D facility reports

59 Fed. Reg. 28484, June
2, 1994
Corrections to the wood surface protection determination amendments

59 Fed. Reg. 29372, June
7, 1994
Response to Supreme Court remand in City of Chicago v. Environmental Defense Fund, Inc., -- U.S. --, 114 S. Ct. 1588, 128 L. Ed. 2d 302 (1994); U.S. EPA granted an extension for facilities managing waste-to-energy facility ash to file a Part A permit application.

59 Fed. Reg. 29958, June
10, 1994
Amendment of references to the prescribed form for a letter of credit Used for RCRA Subtitle C, underground injection, and underground storage tanks to indicate copyright

59 Fed. Reg. 31551, June
20, 1994
Correction of hazardous waste listing (P015), hazardous constituent listing, and land disposal restrictions listing for beryllium to beryllium powder

The June 7, 1994 action constituted a U.S. EPA determination that substantial confusion existed relating to the regulatory status of a waste, and it granted an extension of the time by which facilities managing the waste must file a Part A permit application. Although no Board action is required based on the June 7 federal action, we undertake an amendment to notify the regulated community of the change in law arising through the Supreme Court's decision and the U.S. EPA response.

Specifically, the segment of the amendments involved in Part 725 incorporate the revised reporting codes and financial assurance form. The Board further makes a number of grammatic, punctuation, and stylistic corrections to the opened Sections. One significant correction is to the federal base text. U.S. EPA cites 40 CFR 1510, which the Board has corrected to 40 CFR 300 in response to public inquiries. U.S. EPA redesignated this material as 40 CFR 300 in 1982, but never followed through and corrected the references to it in the federal regulations.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

6) Will this proposed rule replace an emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Do these proposed amendments contain incorporations by reference?

Yes. The existing text of the hazardous waste regulations incorporate numerous documents by reference. 35 Ill. Adm. Code 720.111 is the central listing of incorporations for all documents referred to throughout the text of the regulations. The present amendments update references to federal regulations for the financial responsibility forms and revised reporting codes.

9) Are there any other amendments pending on this Part? No.

10) Statement of statewide policy objectives:

This rulemaking is mandated by Section 22.4(a) of the Environmental Protection Act. The statewide policy objectives are set forth in Section 20 of that Act. This rulemaking imposes mandates on units of local government only to the extent that they may be involved in the generation, transportation, treatment, storage, or disposal of hazardous waste.

11) Time, place and manner in which interested persons may comment on this proposed rulemaking:

The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R94-17 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

Address all questions to Michael J. McCambridge, at 312-814-6924.

12) Initial regulatory flexibility analysis:

A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: August 16, 1994.

B) Types of small businesses affected:

The existing rules and proposed amendments affect small businesses which generate, transport, treat, store, or dispose of hazardous

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

waste. The present amendments will have little impact on those businesses. The expansion of the treatability study exemption constitutes a regulatory relaxation for certain facilities engaging in hazardous waste treatability studies. The update to SW-846 substitutes updated methods for physical and chemical analysis for some existing methods, which could have minor impact on businesses engaging in analysis of these wastes. The listing of additional hazardous constituents should have little impact because U.S. EPA stated that no wood treatment presently uses these chemicals. The clarifications of the used oil regulations constitute a regulatory relaxation for certain petroleum refining facilities and petroleum and natural gas pipeline facilities that manage used oil. The revised reporting codes and the copyright designation on the financial responsibility will affect businesses that must report or use the prescribed letter of credit form, but the impact of those revisions will likely be minimal.

C) Reporting, bookkeeping or other procedures required for compliance:

The existing rules and proposed amendments require extensive reporting, bookkeeping, and other procedures, including the preparation of manifests and annual reports, waste analyses, and maintenance of operating records. The present amendments will have little impact on those businesses. The expansion of the treatability study exemption constitutes a regulatory relaxation for certain facilities engaging in hazardous waste treatability studies. The update to SW-846 substitutes updated methods for physical and chemical analysis for some existing methods, which could have minor impact on businesses engaging in analysis of these wastes. The listing of additional hazardous constituents should have little impact because U.S. EPA stated that no wood treatment presently uses these chemicals. The clarifications of the used oil regulations constitute a regulatory relaxation for certain petroleum refining facilities and petroleum and natural gas pipeline facilities that manage used oil. The revised reporting codes and the copyright designation on the financial responsibility will affect businesses that must report or use the prescribed letter of credit form, but the impact of those revisions will likely be minimal.

D) Types of professional skills necessary for compliance:

Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist, and registered professional engineer.

The full text of the proposed amendments begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE G: WASTE DISPOSAL
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

PART 725

INTERIM STATUS STANDARDS FOR OWNERS AND
OPERATORS OF HAZARDOUS WASTE TREATMENT,
STORAGE, AND DISPOSAL FACILITIES

SUBPART A: GENERAL PROVISIONS

Section
725.101
725.104

Purpose, Scope and Applicability
Imminent Hazard Action

SUBPART B: GENERAL FACILITY STANDARDS

Section
725.110
725.111
725.112
725.113
725.114
725.115
725.116
725.117
725.118
725.119

Applicability
USEPA Identification Number
Required Notices
General Waste Analysis
Security
General Inspection Requirements
Personnel Training
General Requirements for Ignitable, Reactive or Incompatible Wastes
Location Standards
Construction Quality Assurance Program

SUBPART C: PREPAREDNESS AND PREVENTION

Section
725.130
725.131
725.132
725.133
725.134
725.135
725.137

Applicability
Maintenance and Operation of Facility
Required Equipment
Testing and Maintenance of Equipment
Access to Communications or Alarm System
Required Aisle Space
Arrangements with Local Authorities

SUBPART D: CONTINGENCY PLAN AND EMERGENCY PROCEDURES

Section
725.150
725.151
725.152
725.153
725.154

Applicability
Purpose and Implementation of Contingency Plan
Content of Contingency Plan
Copies of Contingency Plan
Amendment of Contingency Plan

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

725.155 Emergency Coordinator
725.156 Emergency Procedures

SUBPART E: MANIFEST SYSTEM, RECORDKEEPING AND REPORTING

Section
725.170 Applicability
725.171 Use of Manifest System
725.172 Manifest Discrepancies
725.173 Operating Record
725.174 Availability, Retention and Disposition of Records
725.175 Annual Report
725.176 Unmanifested Waste Report
725.177 Additional Reports

SUBPART F: GROUNDWATER MONITORING

Section
725.190 Applicability
725.191 Groundwater Monitoring System
725.192 Sampling and Analysis
725.193 Preparation, Evaluation and Response
725.194 Recordkeeping and Reporting

SUBPART G: CLOSURE AND POST-CLOSURE

Section
725.210 Applicability
725.211 Closure Performance Standard
725.212 Closure Plan; Amendment of Plan
725.213 Closure; Time Allowed for Closure
725.214 Disposal or Decontamination of Equipment, Structures and Soils
725.215 Certification of Closure
725.216 Survey Plat
725.217 Post-closure Care and Use of Property
725.218 Post-closure Plan; Amendment of Plan
725.219 Post-closure Notices
725.220 Certification of Completion of Post-Closure Care

SUBPART H: FINANCIAL REQUIREMENTS

Section
725.240 Applicability
725.241 Definitions of Terms as Used in this Subpart
725.242 Cost Estimate for Closure
725.243 Financial Assurance for Closure
725.244 Cost Estimate for Post-closure Care
725.245 Financial Assurance for Post-Closure Monitoring and Maintenance
725.246 Use of a Mechanism for Financial Assurance of Both Closure and

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

725.247 Post-closure Care
725.248 Liability Requirements
725.249 Incapacity of Owners or Operators, Guarantors or Financial Institutions
725.251 Promulgation of Forms (Repealed)

SUBPART I: USE AND MANAGEMENT OF CONTAINERS

Section
725.270 Applicability
725.271 Condition of Containers
725.272 Compatibility of Waste with Container
725.273 Management of Containers
725.274 Inspections
725.276 Special Requirements for Ignitable or Reactive Waste
725.277 Special Requirements for Incompatible Wastes

SUBPART J: TANK SYSTEMS

Section
725.290 Applicability
725.291 Assessment of Existing Tank System's Integrity
725.292 Design and Installation of New Tank Systems or Components
725.293 Containment and Detection of Releases
725.294 General Operating Requirements
725.295 Inspections
725.296 Response to leaks or spills and disposition of Tank Systems
725.297 Closure and Post-Closure Care
725.298 Special Requirements for Ignitable or Reactive Waste
725.299 Special Requirements for Incompatible Wastes
725.300 Waste Analysis and Trial Tests
725.301 Generators of 100 to 1000 kg/mo.

SUBPART K: SURFACE IMPOUNDMENTS

Section
725.320 Applicability
725.321 Design and Operating Requirements
725.322 Action Leakage Rate
725.323 Response Actions
724.324 Containment System
725.325 Waste Analysis and Trial Tests
725.326 Monitoring and Inspections
725.328 Closure and Post-closure Care
725.329 Special Requirements for Ignitable or Reactive Waste
725.330 Special Requirements for Incompatible Wastes

SUBPART L: WASTE PILES

POLLUTION CONTROL BOARD

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

Section
 725.350 Applicability
 725.351 Protection from Wind
 725.352 Waste Analysis
 725.353 Containment
 725.354 Design and Operating Requirements
 725.355 Action Leakage Rates
 725.356 Special Requirements for Ignitable or Reactive Waste
 725.357 Special Requirements for Incompatible Wastes
 725.358 Closure and Post-closure Care
 725.359 Response Actions
 725.360 Monitoring and Inspection

SUBPART M: LAND TREATMENT

Section
 725.370 Applicability
 725.372 General Operating Requirements
 725.373 Waste Analysis
 725.376 Food Chain Crops
 725.378 Unsaturated Zone (Zone of Aeration) Monitoring
 725.379 Recordkeeping
 725.380 Closure and Post-closure
 725.381 Special Requirements for Ignitable or Reactive Waste
 725.382 Special Requirements for Incompatible Wastes

SUBPART N: LANDFILLS

Section
 725.400 Applicability
 725.401 Design Requirements
 725.402 Action Leakage Rate
 725.403 Response Actions
 725.404 Monitoring and Inspection
 725.409 Surveying and Recordkeeping
 725.410 Closure and Post-closure
 725.412 Special Requirements for Ignitable or Reactive Waste
 725.413 Special Requirements for Incompatible Wastes
 725.414 Special Requirements for Liquid Wastes
 725.415 Special Requirements for Containers
 725.416 Disposal of Small Containers of Hazardous Waste in Overpacked Drums (Lab Packs)

SUBPART O: INCINERATORS

Section
 725.440 Applicability
 725.441 Waste Analysis
 725.445 General Operating Requirements

725.447 Monitoring and Inspection
 725.451 Closure
 725.452 Interim Status Incinerators Burning Particular Hazardous Wastes

SUBPART P: THERMAL TREATMENT

Section
 725.470 Other Thermal Treatment
 725.473 General Operating Requirements
 725.475 Waste Analysis
 725.477 Monitoring and Inspections
 725.481 Closure
 725.482 Open Burning; Waste Explosives
 725.483 Interim Status Thermal Treatment Devices Burning Particular Hazardous Waste

SUBPART Q: CHEMICAL, PHYSICAL AND BIOLOGICAL TREATMENT

Section
 725.500 Applicability
 725.501 General Operating Requirements
 725.502 Waste Analysis and Trial Tests
 725.503 Inspections
 725.504 Closure
 725.505 Special Requirements for Ignitable or Reactive Waste
 725.506 Special Requirements for Incompatible Wastes

SUBPART R: UNDERGROUND INJECTION

Section
 725.530 Applicability

SUBPART W: DRIP PADS

Section
 725.540 Applicability
 725.541 Assessment of existing drip pad integrity
 725.542 Design and installation of new drip pads
 725.543 Design and operating requirements
 725.544 Inspections
 725.545 Closure

SUBPART AA: AIR EMISSION STANDARDS FOR PROCESS VENTS

Section
 725.930 Applicability
 725.931 Definitions
 725.932 Standards: Process Vents
 725.933 Standards: Closed-vent Systems and Control Devices

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

725.934 Test methods and procedures
725.935 Recordkeeping Requirements

SUBPART BB: AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS

Section
725.950 Applicability
725.951 Definitions
725.952 Standards: Pumps in Light Liquid Service
725.953 Standards: Compressors
725.954 Standards: Pressure Relief Devices in Gas/Vapor Service
725.955 Standards: Sampling Connecting Systems
725.956 Standards: Open-ended Valves or Lines
725.957 Standards: Valves in Gas/Vapor or Light Liquid Service
725.958 Standards: Pumps, Valves, Pressure Relief Devices, Flanges and Other Connectors

725.959 Standards: Delay of Repair
725.960 Standards: Closed-vent Systems and Control Devices
725.961 Percent Leakage Alternative for Valves
725.962 Skip Period Alternative for Valves
725.963 Test Methods and Procedures
725.964 Recordkeeping Requirements

SUBPART DD: CONTAINMENT BUILDINGS

Section
725.1100 Applicability
725.1101 Design and operating standards
725.1102 Closure and post-closure care

APPENDIX A Recordkeeping Instructions
APPENDIX B EPA Report Form and Instructions (Repealed)
APPENDIX C EPA Interim Primary Drinking Water Standards
APPENDIX D Tests for Significance
APPENDIX E Examples of Potentially Incompatible Waste

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act. [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective as noted in 35 Ill. Adm. Code 700.106; amended and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective as noted in 35 Ill. Adm. Code 700.106; amended in R82-18, 51 PCB 831, at 7 Ill. Reg. 2518, effective February 22, 1983; amended in R82-19, 53 PCB 131, at 7 Ill. Reg. 14034, effective October 12, 1983; amended in R84-9, at 9 Ill. Reg. 11869, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 1085, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 14069, effective August 12, 1986; amended in R86-28 at 11 Ill. Reg. 6044, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13489, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19338, effective

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

November 10, 1987; amended in R87-26 at 12 Ill. Reg. 2485, effective January 15, 1988; amended in R87-39 at 12 Ill. Reg. 13027, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 437, effective December 28, 1988; amended in R89-1 at 13 Ill. Reg. 18354, effective November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14447, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16498, effective September 25, 1990; amended in R90-11 at 15 Ill. Reg. 9398, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14534, effective October 1, 1991; amended in R91-13 at 16 Ill. Reg. 9578, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17672, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5681, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20620, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6771, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12190, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. _____, effective _____.

SUBPART D: CONTINGENCY PLAN AND EMERGENCY PROCEDURES

Section 725.152 Content of Contingency Plan

- The contingency plan must describe the actions facility personnel must take to comply with Sections 725.151 and 725.156 in response to fires, explosions or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the facility.
- If the owner or operator has already prepared a Spill Prevention Control and Countermeasures (SPCC) plan in accordance with 40 CFR Part 112 or ~~1510~~ 300, or some other emergency or contingency plan, he it need needs only amend that plan to incorporate hazardous waste management provisions that are sufficient to comply with the requirements of this Part.
- The plan must describe arrangements agreed to by local police department, fire departments, hospitals, contractors, and state and local emergency response teams to coordinate emergency services, pursuant to Section 725.137.
- The plan must list names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator (see Section 725.155) and this list must be kept up to date. Where more than one person is listed one must be named as primary emergency coordinator and others must be listed in the order in which they will assume responsibility as alternates.
- The plan must include a list of all emergency equipment at the facility [such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment] where this equipment is required. This list must be kept up to date. In addition, the plan must include the location and a physical description of each item on the list and a brief outline of its capabilities.
- The plan must include an evacuation plan for facility personnel where there is a possibility that evacuation could be necessary. This plan

POLLUTION CONTROL BOARD

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

must describe signal(s) to be used to begin evacuation, evacuation routes and alternate evacuation routes (in cases where the primary routes could be blocked by releases of hazardous waste or fires).

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 725.156 Emergency Procedures

a) Whenever there is an imminent or actual emergency situation, the emergency coordinator (or his designee when the emergency coordinator is on call) must shall immediately:

1) Activate internal facility alarms or communication systems, where applicable, to notify all facility personnel; and

2) Notify appropriate state or local agencies with designated response roles if their help is needed.

b) Whenever there is a release, fire, or explosion, the emergency coordinator must shall immediately identify the character, exact source, amount, and a real extent of any released materials. He or she may do this by observation or review of facility records or manifests and, if necessary, by chemical analysis.

c) Concurrently, the emergency coordinator must shall assess possible hazards to human health or the environment that may result from the release, fire or explosion. This assessment must consider both direct and indirect effects of the release, fire, or explosion (e.g., the effects of any toxic, irritating, or asphyxiating gases that are generated, or the effects of any hazardous surface water runoffs from water or chemical agents used to control fire and heat-induced explosions).

d) If the emergency coordinator determines that the facility has had a release, fire, or explosion which that could threaten human health or the environment outside the facility, he or she must shall report his findings as follows:

1) If his assessment indicates that evacuation of local areas may be advisable, he or she must shall immediately notify appropriate local authorities. He or she must be available to help appropriate officials decide whether local areas should be evacuated; and

2) He or she must shall immediately notify either the government official designated as the on-scene coordinator for that geographical area (in the applicable regional contingency plan under 40 CFR Part 4510.300), or the National Response Center (using their 24-hour toll free number 800/424-8802). The report must include:

A) Name and telephone number of reporter;
 B) Name and address of facility;
 C) Time and type of incident (e.g., release, fire);
 D) Name and quantity of material(s) involved, to the extent known;

E) The extent of injuries, if any; and
 F) The possible hazards to human health or the environment outside the facility.

e) During an emergency the emergency coordinator must shall take all reasonable measures necessary to ensure that fires, explosions and releases do not occur, recur, or spread to other hazardous waste at the facility. These measures must include, where applicable, stopping processes and operations, collecting and containing released waste, and removing or isolating containers.

f) If the facility stops operations in response to a fire, explosion or release, the emergency coordinator must shall monitor for leaks, pressure buildup, gas generation or ruptures in valves, pipes, or other equipment, wherever this is appropriate.

g) Immediately after an emergency, the emergency coordinator must shall provide for treating, storing or disposing of recovered waste, contaminated soil, or surface water, or any other material that results from a release, fire, or explosion at the facility.

BOARD NOTE: Unless the owner or operator can demonstrate, in accordance with Section 721.103(c) or (d) that the recovered material is not a hazardous waste, the owner or operator becomes a generator of hazardous waste and must shall manage it in accordance with all applicable requirements of Parts 722, 723, and 725.

h) The emergency coordinator must shall ensure that, in the affected area(s) of the facility:

1) No waste that may be incompatible with the released material is treated, stored, or disposed of until cleanup procedures are completed; and

2) All emergency equipment listed in the contingency plan is cleaned and fit for its intended use before operations are resumed.

i) The owner or operator must shall notify the Director and other appropriate state and local authorities that the facility is in compliance with paragraph (h) of this section before operations are resumed in the affected area(s) of the facility.

j) The owner or operator must shall note in the operating record the time, date, and details of any incident that requires implementing the contingency plan. Within 15 days after the incident, he it must shall submit a written report on the incident to the Director. The report must include:

1) Name, address, and telephone number of the owner or operator;
 2) Name, address, and telephone number of the facility;
 3) Date, time, and type of incident (e.g., fire, explosion);
 4) Name and quantity of material(s) involved;
 5) The extent of injuries, if any;
 6) An assessment of actual or potential hazards to human health or the environment, where this is applicable; and
 7) Estimated quantity and disposition of recovered material that resulted from the incident.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Section 725.APPENDIX A Recordkeeping Instructions

See The Board hereby incorporates by reference 40 CFR 265, Appendix I to 40-CFR Part--265 (1992), as amended at 59 Fed. Reg. 13892 (Mar. 24, 1994). This incorporation includes no later amendments or editions.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Land Disposal Restrictions
- 2) Code citation: 35 Ill. Adm. Code 728
- 3) Section numbers: Proposed action:
728.142 Amendment
728.Table D Amendment
- 4) Statutory authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1022.4 and 1027 [415 ILCS 5/22.4 and 27].
- 5) A complete description of the subjects and issues involved:

A more detailed description is contained in the Board's Proposed Opinion of August 11, 1994, in R94-17, which Opinion is available from the address below. Section 22.4(a) of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1022.4(a)) [415 ILCS 5/22.4(a)] provides that Section 5 of the Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1005-35 and 1005-40) [5 ILCS 100/5-35 and 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

This rulemaking updates Parts 704, 720, 721, 724, 725, 728, and 739 of the Illinois RCRA Subtitle C hazardous waste rules to correspond with amendments adopted by U.S. EPA which appeared in the Federal Register during the period January 1 through June 30, 1994. During this period, U.S. EPA amended its regulations as follows:

Federal Action

Summary

59 Fed. Reg. 458, January 4, 1994
Determination not to regulate wastes from wood surface protection as listed hazardous wastes; update of SW-846 to include a new method; addition of four chemicals to listing of hazardous constituents

59 Fed. Reg. 8362, February 18, 1994
Amendment of treatability study exclusion from definition of solid waste

59 Fed. Reg. 10550, March 4, 1994

Clarification of used oil regulations to clarify that used oil mixed with crude oil or natural gas liquids are exempted from the used oil regulations; exemption of crude oil mixed with small amounts of used oil that is destined for insertion into a refining

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- process; exclusions for certain activities from regulation as used oil processing
- 59 Fed. Reg. 13891, March 24, 1994
Amendment of handling codes for periodic T/S/D facility reports
- 59 Fed. Reg. 28484, June 2, 1994
Corrections to the wood surface protection determination amendments
- 59 Fed. Reg. 29372, June 7, 1994
Response to Supreme Court remand in *City of Chicago v. Environmental Defense Fund, Inc.*, -- U.S. --, 114 S. Ct. 1588, 128 L. Ed. 2d 302 (1994): U.S. EPA granted an extension for facilities managing waste-to-energy facility ash to file a Part A permit application.
- 59 Fed. Reg. 29958, June 10, 1994
Amendment of references to the prescribed form for a letter of credit Used for RCRA Subtitle C, underground injection, and underground storage tanks to indicate copyright to beryllium powder
- 59 Fed. Reg. 31551, June 20, 1994
Correction of hazardous waste listing (P015), hazardous constituent listing, and land disposal restrictions listing for beryllium to beryllium powder
- The June 7, 1994 action constituted a U.S. EPA determination that a substantial confusion existed relating to the regulatory status of a waste, and it granted an extension of the time by which facilities managing the waste must file a Part A permit application. Although no Board action is required based on the June 7 federal action, we undertake an amendment to notify the regulated community of the change in law arising through the Supreme Court's decision and the U.S. EPA response.
- Specifically, the segment of the amendments involved in Part 728 incorporate the beryllium listing correction to the land disposal restrictions. The Board also makes a number of grammatic, punctuation, and stylistic corrections.
- 6) Will this proposed rule replace an emergency rule currently in effect?
No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Do these proposed amendments contain incorporations by reference?

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

No.

9) Are there any other amendments pending on this Part? No.

10) Statement of statewide policy objectives:

This rulemaking is mandated by Section 22.4(a) of the Environmental Protection Act. The statewide policy objectives are set forth in Section 20 of that Act. This rulemaking imposes mandates on units of local government only to the extent that they may be involved in the generation, transportation, treatment, storage, or disposal of hazardous waste.

11) Time, place and manner in which interested persons may comment on this proposed rulemaking:

The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R94-17 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

Address all questions to Michael J. McCambridge, at 312-814-6924.

12) Initial regulatory flexibility analysis:

A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: August 16, 1994.

B) Types of small businesses affected:

The existing rules and proposed amendments affect small businesses which generate, transport, treat, store, or dispose of hazardous waste. The present amendments will have little impact on those businesses. The expansion of the treatability study exemption constitutes a regulatory relaxation for certain facilities engaging in hazardous waste treatability studies. The update to SW-846 substitutes updated methods for physical and chemical analysis for some existing methods, which could have minor impact on businesses engaging in analysis of these wastes. The listing of additional hazardous constituents should have little impact because U.S. EPA stated that no wood treatment presently uses these chemicals. The clarifications of the used oil regulations constitute a regulatory relaxation for certain petroleum refining facilities and petroleum

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

and natural gas pipeline facilities that manage used oil. The revised reporting codes and the copyright designation on the financial responsibility will affect businesses that must report or use the prescribed letter of credit form, but the impact of those revisions will likely be minimal.

C) Reporting, bookkeeping or other procedures required for compliance:

The existing rules and proposed amendments require extensive reporting, bookkeeping, and other procedures, including the preparation of manifests and annual reports, waste analyses, and maintenance of operating records. The present amendments will have little impact on those businesses. The expansion of the treatability study exemption constitutes a regulatory relaxation for certain facilities engaging in hazardous waste treatability studies. The update to SW-846 substitutes updated methods for physical and chemical analysis for some existing methods, which could have minor impact on businesses engaging in analysis of these wastes. The listing of additional hazardous constituents should have little impact because U.S. EPA stated that no wood treatment presently uses these chemicals. The clarifications of the used oil regulations constitute a regulatory relaxation for certain petroleum refining facilities and petroleum and natural gas pipeline facilities that manage used oil. The revised reporting codes and the copyright designation on the financial responsibility will affect businesses that must report or use the prescribed letter of credit form, but the impact of those revisions will likely be minimal.

D) Types of professional skills necessary for compliance:

Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist, and registered professional engineer.

The full text of the proposed amendments begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

PART 728

LAND DISPOSAL RESTRICTIONS

SUBPART A: GENERAL

Section	Purpose, Scope and Applicability
728.101	Definitions
728.102	Dilution Prohibited as a Substitute for Treatment
728.103	Treatment Surface Impoundment Exemption
728.104	Procedures for case-by-case Extensions to an Effective Date
728.105	Petitions to Allow Land Disposal of a Waste Prohibited under Subpart C
728.106	Waste Analysis and Recordkeeping
728.107	Landfill and Surface Impoundment Disposal Restrictions (Repealed)
728.108	Special Rules for Characteristic Wastes
728.109	

SUBPART B: SCHEDULED FOR LAND DISPOSAL PROHIBITION AND ESTABLISHMENT OF TREATMENT STANDARDS

Section	
728.110	First Third
728.111	Second Third
728.112	Third Third
728.113	Newly Listed Wastes
728.114	Surface Impoundment exemptions

SUBPART C: PROHIBITION ON LAND DISPOSAL

Section	
728.130	Waste Specific Prohibitions -- Solvent Wastes
728.131	Waste Specific Prohibitions -- Dioxin-Containing Wastes
728.132	Waste Specific Prohibitions -- California List Wastes
728.133	Waste Specific Prohibitions -- First Third Wastes
728.134	Waste Specific Prohibitions -- Second Third Wastes
728.135	Waste Specific Prohibitions -- Third Third Wastes
728.136	Waste Specific Prohibitions -- Newly Listed Wastes
728.137	Waste Specific Prohibitions -- Ignitable and Corrosive Characteristic Wastes Whose Treatment Standards Were Vacated
728.139	Statutory Prohibitions

SUBPART D: TREATMENT STANDARDS

Section

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Applicability of Treatment Standards

728.140	Treatment Standards Expressed as Concentrations in Waste Extract
728.141	Treatment Standards Expressed as Specified Technologies
728.142	Treatment Standards expressed as Waste Concentrations
728.143	Adjustment of Treatment Standard
728.144	Treatment Standards for Hazardous Debris
728.145	Alternative Treatment Standards Based on HTMR
728.146	

SUBPART E: PROHIBITIONS ON STORAGE

Section	Prohibitions on Storage of Restricted Wastes
728.150	
APPENDIX A	Toxicity Characteristic Leaching Procedure (TCLP)
APPENDIX B	Treatment Standards (As concentrations in the Residual Extract)
APPENDIX C	List of Halogenated Organic Compounds
APPENDIX D	Organometallic Lab Packs
APPENDIX E	Organic Lab Packs
APPENDIX F	Technologies to Achieve Deactivation of Characteristics
APPENDIX G	Federal Effective Dates
APPENDIX H	National Capacity LDR Variances for UIC Wastes
APPENDIX I	EP Toxicity Test Method and Structural Integrity Test

TABLE A	Constituent Concentrations in Waste Extract (CCWE)
TABLE B	Constituent Concentrations in Wastes (CCW)
TABLE C	Technology Codes and Description of Technology-Based Standards
TABLE D	Technology-Based Standards by RCRA Waste Code
TABLE E	Standards for Radioactive Mixed Waste
TABLE F	Alternative Treatment Standards for Hazardous Debris
TABLE G	Alternative Treatment Standards Based on HMTR
TABLE H	Wastes Excluded from CCW Treatment Standards

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1022.4 and 1027) [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R87-5 at 11 Ill. Reg. 19354, effective November 12, 1987; amended in R87-39 at 12 Ill. Reg. 13046, effective July 29, 1988; amended in R89-1 at 13 Ill. Reg. 18403, effective November 13, 1989; amended in R89-9 at 14 Ill. Reg. 6232, effective April 16, 1990; amended in R90-2 at 14 Ill. Reg. 14470, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16508, effective September 25, 1990; amended in R90-11 at 15 Ill. Reg. 9462, effective June 17, 1991; amended in R90-11 at 15 Ill. Reg. 11937, effective August 12, 1991; amendment withdrawn at 15 Ill. Reg. 14716, October 11, 1991; amended in R91-13 at 16 Ill. Reg. 9619, effective June 9, 1992; amended in R92-10 at 17 Ill. Reg. 5727, effective March 26, 1993; amended in R93-4 at 18 Ill. Reg. 20692, effective November 22, 1993; amended at 18 Ill. Reg. 6799, effective April 26, 1994; amended at 18 Ill. Reg. 12203, effective July 29, 1994; amended

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

in R94-17 at 18 Ill. Reg. _____, effective _____.

SUBPART D: TREATMENT STANDARDS

Section 728.142 Treatment Standards Expressed as Specified Technologies

- a) The following wastes in subsections (a)(1) and (b)(2) below and Sections 728.141 and 728.142, Table E must be treated using the technology or technologies specified in subsections (a)(1) and (a)(2) below and Section 728.141, Table C.

1) Liquid hazardous wastes containing PCBs at concentrations greater than or equal to 50 ppm but less than 500 ppm must be incinerated in accordance with the technical requirements of 40 CFR 761.70, incorporated by reference in 35 Ill. Adm. Code 720.111, or burned in high efficiency boilers in accordance with the technical requirements of 40 CFR 761.60. Liquid hazardous wastes containing PCBs at concentrations greater than or equal to 500 ppm must be incinerated in accordance with the technical requirements of 40 CFR 761.70. Thermal treatment in accordance with this Section must be in compliance with applicable regulations in 35 Ill. Adm. Code 724, 725, and 726.

2) Nonliquid hazardous wastes containing halogenated organic compounds (HOCs) in total concentrations greater than or equal to 1000 mg/kg and liquid HOC-containing wastes that are prohibited under Section 728.132(e)(1) must be incinerated in accordance with the requirements of 35 Ill. Adm. Code 724. Subpart O or 35 Ill. Adm. Code 725. Subpart O. These treatment standards do not apply where the waste is subject to a Subpart E or F of this Part for a treatment standard codified in Subpart C of this Part for a specific HOC (such as a hazardous waste chlorinated solvent for which a treatment standard is established under Section 728.141(a)).

3) A mixture consisting of wastewater, the discharge of which is subject to regulation under 35 Ill. Adm. Code 309 or 310, and de minimis losses of materials from manufacturing operations in which these materials are used as raw materials or are produced as products in the manufacturing process, and that meet the criteria of the D001 ignitable liquids containing greater than 10% total organic constituents (TOC) subcategory, is subject to the DEACT treatment standard described in Table C. For purposes of this subsection, "de minimis losses" include:

- A) Those from normal material handling operations (e.g., spills from the unloading or transfer of materials from bins or other containers, or leaks from pipes, valves, or other devices used to transfer materials);
- B) Minor leaks from process equipment, storage tanks, or containers;
- C) Leaks from well-maintained pump packings and seals;
- D) Sample purgings; and

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- b) Any person may submit an application to the Agency demonstrating that an alternative treatment method can achieve a level of performance equivalent to that achievable by methods specified in subsections (a) above and (c) and (d) below for wastes or specified in Section 728.141, Table F for hazardous debris. The applicant shall submit information demonstrating that the applicant's treatment method is in compliance with federal and state requirements, including this Part, 35 Ill. Adm. Code 709, 724, 725, 726, and 729 and Sections 22.6 and 39(h) of the Environmental Protection Act (415 ILCS 5/22.6 and 5/39(h)), and that it is protective of human health or the environment. On the basis of such information and any other available information, the Agency shall approve the use of the alternative treatment method if the Agency finds that the alternative treatment method provides a measure of performance equivalent to that achieved by methods specified in subsections (a) above and (c) and (d) below and in Section 728.141, Table F, for hazardous debris. Any approval must be stated in writing and may contain such provisions and conditions as the Agency determines to be appropriate. The person to whom such approval is issued shall comply with all limitations contained in such determination.

- c) As an alternative to the otherwise applicable treatment standards of Subpart D of this Part, lab packs are eligible for land disposal provided the following requirements are met:

- 1) The lab packs comply with the applicable provisions of 35 Ill. Adm. Code 724.416 and 725.416;
 - 2) All hazardous wastes contained in such lab packs are specified in Appendix D or Appendix E;
 - 3) The lab packs are incinerated in accordance with the requirements of 35 Ill. Adm. Code 724. Subpart O or 35 Ill. Adm. Code 725. Subpart O; and
 - 4) Any incinerator residues from lab packs containing D004, D005, D006, D007, D008, D010, and D011 are treated in compliance with the applicable treatment standards specified from such wastes in Subpart D.
- d) Radioactive hazardous mixed wastes with treatment standards specified in Section 728.141, Table E are not subject to any treatment standards specified in Section 728.141, Section 728.142, or Section 728.143, Table D. Radioactive hazardous mixed wastes not subject to treatment standards in Section 728.141, Table E remain subject to all applicable treatment standards specified in Section 728.141, Section 728.143, and Section 728.144, Table D. Hazardous debris containing radioactive waste is not subject to the treatment standards specified in Section 728.141, Table F but is subject to the treatment standards specified in Section 728.145.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 18 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Section 728. TABLE D Technology-Based Standards by RCRA Waste Code

WASTE SEE CODES ALSO	CAS NO.	TECHNOLOGY CODE WASTE- WATERS	TECHNOLOGY CODE NON- WASTE- WATERS	WASTE DESCRIP- TIONS OR TREATMENT SUBCATEGORY
D001 Tables A & B	NA	DEACT, and meet F039; or FSUBS; RORGs; or INCIN INCIN	DEACT, and meet F039; or FSUBS; RORGs; or INCIN	All descriptions based on 35 Ill. Adm. Code 721.121 except for the Section 721.121 (a)(1) High TOC subcategory, managed in non- CWA/non-CWA- equivalent/non- Class I SDWA systems
D001 NA	NA	DEACT	DEACT	All descriptions based on 35 Ill. Adm. Code 721.121, except for the Section 261.121(a)(1) High TOC sub- category, managed in CWA, CWA- equivalent, or Class I SDWA system
D001 NA	NA	NA	FSUBS; RORGs; or INCIN	All descriptions based on 35 Ill. Adm. Code 721.121(a)(1)- High TOC Ignitable Liquids Sub-

POLLUTION CONTROL BOARD

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

D002	Tables A & B	NA	DEACT and meet F039	DEACT and meet F039	category-- Greater than or equal to 10% total organic carbon Acid, alkaline, and other sub- category based on 35 Ill. Adm. Code 721.122 managed in non- CWA/non-CWA- equivalent/non- Class I SDWA systems	
D002	NA	NA	DEACT	DEACT	Acid, alkaline, and other sub- category based on 35 Ill. Adm. Code 721.122 managed in CWA, CWA-equivalent, or Class I SDWA systems	
D003	NA	NA	DEACT but not including dilution as a sub- stitute for ade- quate treat- ment)	DEACT but not including dilution as a sub- stitute ade- quate treat- ment)	Reactive sulfides based on 35 Ill. Adm. Code 721.123 (a)(5)	
D003	NA	NA	DEACT	DEACT	Explosives based on 35 Ill. Adm. Code 721.123 (a)(6), (a)(7) $\frac{1}{2}$ and (a)(8)	
D003	NA	NA	NA	DEACT	Water reactives based on 35	

D003	NA	NA	DEACT	DEACT	Ill. Adm. Code 721.123 (a)(2), (a)(3) $\frac{1}{2}$ and (a)(4)	
D006	NA	7440 -43-9	NA	DEACT	Other reactives based on 35 Ill. Adm. Code 721.123(a) (1)	
D008	NA	7439 -92-1	NA	RLEAD	Cadmium- containing batteries	
D009	Tables A & B	7439 -97-6	NA	IMERC; or RMERC	Lead acid batteries (Note: This stand- ard only applies to lead acid batteries that are identified as RCRA hazardous wastes and that are not excluded else- where from regulation under the land disposal restrictions of this Part or exempted under other regulations (see 35 Ill. Adm. Code 726.180).)	
					Mercury: (High Mercury Subcategory-- greater than or equal to	

POLLUTION CONTROL BOARD

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 728. TABLE D Technology-Based Standards by RCRA Waste Code

WASTE SEE CODES ALSO	CAS NO.	TECHNOLOGY CODE WASTE- WATERS	TECHNOLOGY CODE NON- WASTE- WATERS	WASTE DESCRIP- TIONS OR TREATMENT SUBCATEGORY
D001 Tables A & B	NA	DEACT, and meet F039; or FSUBS; RORGs; or INCIN	DEACT, and meet F039; or FSUBS; RORGs; or INCIN	All descriptions based on 35 Ill. Adm. Code 721.121 except for the Section 721.121 (a)(1) High TOC subcategory, managed in non- CWA/non-CWA- equivalent/non- Class I SDWA systems
D001 NA	NA	DEACT	DEACT	All descriptions based on 35 Ill. Adm. Code 721.121, except for the Section 261.121(a)(1) High TOC sub- category, managed in CWA, CWA- equivalent, or Class I SDWA system
D001 NA	NA	NA	FSUBS; RORGs; or INCIN	All descriptions based on 35 Ill. Adm. Code 721.121(a)(1)- High TOC Ignitable Liquids Sub-

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

D002	Tables A & B	NA	DEACT and meet F039	DEACT and meet F039	category-- Greater than or equal to 10% total organic carbon Acid, alkaline, and other sub- category based on 35 Ill. Adm. Code 721.122 managed in non- CWA/non-CWA- equivalent/non- Class I SDWA systems
D002	NA	NA	DEACT	DEACT	Acid, alkaline, and other sub- category based on 35 Ill. Adm. Code 721.122 managed in CWA, CWA-equivalent, or Class I SDWA systems
D003	NA	NA	DEACT but not including dilution as a sub- stitute for ade- quate treat- ment)	DEACT but not including dilution as a sub- stitute ade- quate treat- ment)	Reactive sulfides based on 35 Ill. Adm. Code 721.123 (a)(5)
D003	NA	NA	DEACT	DEACT	Explosives based on 35 Ill. Adm. Code 721.123 (a)(6), (a)(7) and (a)(8)
D003	NA	NA	NA	DEACT	Water reactives based on 35

D003	NA	NA	DEACT	DEACT	Other reactives based on 35 Ill. Adm. Code 721.123(a) (1)
D006	NA	7440 -43-9	NA	RTHERM	Cadmium- containing batteries
D008	NA	7439 -92-1	NA	RLEAD	Lead acid batteries (Note: This stand- ard only applies to lead acid batteries that are identified as RCRA hazardous wastes and that are not excluded else- where from regulation under the land disposal restrictions of this Part or exempted under other regulations (see 35 Ill. Adm. Code 726.180).)
D009	Tables A & B	7439 -97-6	NA	IMERC; or RMERC	Mercury; (High Mercury Subcategory-- greater than or equal to

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

D009	Tables A & B	7439 -87-6	NA	RMERC	260 mg/kg total Mercury-- contains mer- cury and organics (and are not incinerator residues))
					Mercury: (High Mercury Subcategory-- greater than or equal to 260 mg/kg total Mer- cury-- inorganics (including incinerator residues and residues from RMERC))
D012	Table B	72-20 -8	BIODG; or INCIN	NA	Endrin
D013	Table B	58-89 -9	CARBN; or INCIN	NA	Lindane
D014	Table B	72-43 -5	WETOX; or INCIN	NA	Methoxychlor
D015	Table B	8001 -35-1	BIODG; or INCIN	NA	Toxaphene
D016	Table B	94-75 -7	CHOXD; BIODG; or INCIN	NA	2,4-D
D017	Table B	93-72 -1	CHOXD; or INCIN	NA	2,4,5-TP
F005	Tables A & B	79-46 -9	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	2-Nitro- propane

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

F005	Tables A & B	110-80 -5	BIODG; or INCIN	INCIN	2-Ethoxy ethanol
F024	Tables A & B	NA	INCIN	INCIN	-----
K025	NA	NA	LLEXT fb SSTRIP fb CARBN; or INCIN	INCIN	Distillation bottoms from the production of nitro- benzene by the nitration of benzene
K026	NA	NA	INCIN	INCIN	Stripping still tails from the production of methyl ethyl pyridines
K027	NA	NA	CARBN; or INCIN	FSUBS; or INCIN	Centrifuge and distillation residues from toluene diiso- cyanate pro- duction
K039	NA	NA	CARBN; or INCIN	FSUBS; or INCIN	Filter cake from the filtration of diethylphospho rodithioc acid in the production of phorate
K044	NA	NA	DEACT	DEACT	Wastewater treatment sludges from the manufac- turing and processing of explosives
K045	NA	NA	DEACT	DEACT	Spent carbon from the treatment of

POLLUTION CONTROL BOARD

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

K047	NA	NA	DEACT	DEACT	wastewater containing explosives					vent gases from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides
K069	Tables A & B	NA	NA	RLEAD	pink/red water from TNT operations		NA	INCIN; or	INCIN.	Spent filter cart
K106	Tables A & B	NA	NA	RMERC	Emission control dust/sludge from secondary lead smelting: Non-Calcium Sulfate Subcategory		NA	CHOXD fb, CARBN; or BIODG fb CARBN		ridges from product purification from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides
K107	NA	NA	INCIN; or CHOXD fb, CARBN; or BIODG fb CARBN	INCIN.	Wastewater treatment sludge from the mercury cell process in chlorine production: (High Mercury Subcategory- greater than or equal to 260 mg/kg total mercury)		NA	INCIN; or	INCIN.	Condensed column overheads from intermediate separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides
K108	NA	NA	INCIN; or	INCIN.	Column bottoms from product separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides		NA	INCIN; or	INCIN.	Reaction by-product water from the drying column in the production of toluenediamine via hydrogenation of dinitrotoluene
			CHOXD fb, CARBN; or BIODG fb CARBN		Condensed column overheads from product separation and condensed reactor		NA	CARBN; or INCIN	FSUBS; or INCIN	Condensed liquid light ends from the

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

K114	NA	NA	CARBN; or INCIN	FSUBS; or INCIN	purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene
K115	NA	NA	CARBN; or INCIN	FSUBS; or INCIN	Vicinals from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene
K116	NA	NA	CARBN; or INCIN	FSUBS; or INCIN	Heavy ends from the purification of toluenediamine in the production of toluenediamine via hydro- genation of dinitro- toluene
					Organic condensate from the solvent recovery column in the production of toluene diso- cyanate via phosgenation of toluene-

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

K123	NA	NA	INCIN; or CHOXD fb (BIODG or CARBN)	INCIN.	diamine Process waste- water (including supernates, filt- rates, and wash- waters) from the production of ethylenebis- dithiocarbamic acid and its salts
K124	NA	NA	INCIN; or CHOXD fb (BIODG or CARBN)	INCIN.	Reactor vent scrubber water from the pro- duction of ethylenebisdi- thiocarbamic acid and its salts
K125	NA	NA	INCIN; or CHOXD fb (BIODG or CARBN)	INCIN.	Filtration, evapo- ration, and centri- fugation solids from the pro- duction of ethylenebisdi- thiocarbamic acid and its salts
K126	NA	NA	INCIN; or CHOXD fb (BIODG or CARBN)	INCIN.	Baghouse dust and floor sweepings in milling and packaging opera- tions from the produc- tion or formulation

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

				of ethylene bisdithio- carbamic acid and its salts
P001	NA	81-81 -2	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN
P002	NA	591-08 -2	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P003	NA	107-02 -8	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN
P005	NA	107-18 -6	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN
P006	NA	20859 -73-8	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN
P007	NA	2763-96 -4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P008	NA	504-24 -5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P009	NA	131-74 -8	CHOXD; CHRED; CARBN; BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN
P014	NA	108-95 -5	(WETOX or CHOXD) fb CARBN; or	INCIN

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

P015	NA	7440-41 -7	RMETL or RTHRM	INCIN	Beryllium dust powder
P016	NA	542-88 -1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Bis(chloro- methyl)-ether
P017	NA	598-31 -2	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Bromoacetone
P018	NA	357-57 -3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Brucine
P022	Table B	75-15 -0	NA	INCIN	Carbon disulfide
P023	NA	107-20 -0	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Chloro- acetaldehyde
P026	NA	5344-82 -1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	1-(O-Chloro- phenyl)-thio- urea
P027	NA	542-76 -7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	3-Chloro- propionitrile
P028	NA	100-44 -7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Benzyl chloride
P031	NA	460-19 -5	CHOXD; WETOX; or INCIN	CHOXD; WETOX; or INCIN	Cyanogen
P033	NA	506-77 -4	CHOXD; WETOX; or	CHOXD; WETOX; or	Cyanogen chloride

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

P034	NA	131-89 -5	INCIN (WETOX or CHOXD) fb CARBN; or INCIN	INCIN	2-Cyclohexyl- 4,6-dinitro- phenol
P040	NA	297-97 -2	CARBN; or INCIN	FSUBS; or INCIN	0,0-Diethyl O- pyrazinyl phosphoro- thioate
P041	NA	311-45 -5	CARBN; or INCIN	FSUBS; or INCIN	Diethyl-p- nitrophenyl phosphate
P042	NA	51-43 -4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Epinephrine
P043	AN	55-91 -4	CARBN; or INCIN	FSUBS; or INCIN	Diisopropyl- fluoro- phosphate (DPP)
P044	NA	60-51 -5	CARBN; or INCIN	FSUBS; or INCIN	Dimethoate
P045	NA	39196-18 -4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Thiofanox
P046	NA	122-09 -8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	alpha, alpha- Dimethylphen- ethylamine
P047	NA	534-52 -1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	4,6-Dinitro- o-cresol salts
P049	NA	541-53 -7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	2,4-Dithio- biuret
P054	NA	151-56	(WETOX or	INCIN	Aziridine

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

P056	Table B	7782-41 -4	NA	CHOXD) fb CARBN; or INCIN	Fluorine
P057	NA	640-19 -7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Fluoro- acetamide
P058	NA	62-74 -8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Fluoroacetic acid, sodium salt
P062	NA	757-58 -4	CARBN; or INCIN	FSUBS or INCIN	Hexaethyl- tetraphosphate
P064	NA	624-83 -9	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Isocyanic acid, ethyl ester
P065	Tables A & B	628-86 -4	NA	Mercury fulminate: (High Mercury Subcategory-- greater than or equal to 260 mg/kg total Mercury-- either incinerator residues or residues from RMERC)	Mercury fulminate: (All non- wastewaters-- that are not incinerator residues or are not residues from RMERC;
P065	Tables A & B	628-86 -4	NA	IMERC	Mercury fulminate: (All non- wastewaters-- that are not incinerator residues or are not residues from RMERC;

POLLUTION CONTROL BOARD

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

P066	NA	16752-77 -5	(WETOX or CHOXD) fb CAREN; or INCIN	INCIN	regardless of Mercury Content)	
P067	NA	75-55 -8	(WETOX or CHOXD) fb CAREN; or INCIN	INCIN	Methomyl	
P068	NA	60-34 -4	CHOXD; CHRED; CAREN; BIODG; or INCIN	FSUBS; CHOXD; CHRED; OR INCIN	2-Methyl- aziridine	
P069	NA	75-86 -5	(WETOX or CHOXD) fb CAREN; or INCIN	INCIN	Methyl hydrazine	
P070	NA	116-06 -3	(WETOX or CHOXD) fb CAREN; or INCIN	INCIN	Methylacto- nitrile	
P072	NA	86-88 -4	(WETOX or CHOXD) fb CAREN; or INCIN	INCIN	Aldicarb	
P075	NA	54-11 -5	(WETOX or CHOXD) fb CAREN; or INCIN	INCIN	1-Naphthyl-2- thiourea	
P076	NA	10102-43 -9	ADGAS	ADGAS	Nicotine and salts	
P078	NA	10102-44 -0	ADGAS	ADGAS	Nitric oxide	
P081	NA	55-63 -0	CHOXD; CHRED; CAREN;	FSUBS; CHOXD; CHRED; or	Nitrogen dioxide	
					Nitroglycerin	

P082	Table B	62-75 -9	NA	BIODG; or INCIN		N-Nitrosodi- methylaniline
P084	NA	4549-40 -0	(WETOX or CHOXD) fb CAREN; or INCIN	INCIN		N-Nitroso- methylvinyl- amine
P085	NA	152-16 -9	CAREN; or INCIN	FSUBS; or INCIN		Octamethyl- pyrophosphor- amide
P087	NA	20816-12 -0	RMETL; or RTHRM	RMETL; or RTHRM		Osmium tetroxide
P088	NA	145-73 -3	(WETOX or CHOXD) fb CAREN; or INCIN	FSUBS; or INCIN		Endothall
P092	Tables A & B	62-38 -4	NA	RMERC		Phenyl mercury acetate; (High Mercury Subcategory-- greater than or equal to 260 mg/kg total Mercury-- either incinerator residues or residues from RMERC)
P092	Tables A & B	62-38 -4	NA	IMERC; or RMERC		Phenyl mercury acetate; (All non- wastewaters that are not incinerator residues and are not residues and are not residues from

POLLUTION CONTROL BOARD

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

P093	NA	103-85 -5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	RMERC; regardless of Mercury Content)	P116	NA	79-19 -6	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Thiosemi- carbazine
P095	NA	75-44 -5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	N-Phenylthio- urea	P118	NA	75-70 -7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Trichloro- methanethiol
P096	NA	7803-51 -2	CHOXD; CHRED; or INCIN	INCIN	Phosgene	P119	Table B	7803-55 -6	NA	STABL	Ammonium vanadate
P102	NA	107-19 -7	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Propargyl alcohol	P120	Table B	1314-62 -1	NA	STABL	Vanadium pentoxide
P105	NA	26628-22 -8	CHOXD; CHRED; CARBN BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	Sodium azide	U001	NA	75-07 -0	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Zinc Phosphide (≥10%)
P108	NA	57-24 -9 A	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Strychnine and salts	U003	Table B	75-05 -8	NA	INCIN	Acetaldehyde
P109	NA	3689-24 -5	CARBN; or INCIN	FSUBS; or INCIN	Tetraethyl-di- thiopyro- phosphate	U006	NA	75-36 -5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Acetyl chloride
P112	NA	509-14 -8	CHOXD; CHRED; or CARBN; or BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	Tetranitro- methane	U007	NA	79-06 -1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Acrylamide
P113	Table B	1314-32 -5	NA	RTHRM; or STABL	Thallic oxide	U008	NA	79-10 -7	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Acrylic acid
P115	Table B	7446-18 -6	NA	RTHRM; or STABL	Thallium (I) sulfate	U010	NA	50-07 -7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Mitomycin C
						U011	NA	61-82	(WETOX or	INCIN	Amitrole

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

U014	NA	492-80-8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Auramine	U034	NA	75-87-6	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Trichloroacet- aldehyde (Chloral)
U015	NA	115-02-6	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Azaserine	U035	NA	305-03-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Chlorambucil
U016	NA	225-51-4	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Benz(c)- acridine	U038	Table B	510-15-6	NA	INCIN	Chloro- benzilate
U017	NA	98-87-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Benzal chloride	U041	NA	106-89-8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	1-Chloro-2,3- epoxypropane (Epichloro- hydrin)
U020	NA	98-09-9	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Benzene- sulfonfyl chloride	U042	Table B	110-75-8	NA	INCIN	2-Chloroethyl vinyl ether
U021	NA	92-87-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Benzidine	U046	NA	107-30-2	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Chloromethyl methyl ether
U023	NA	98-07-7	CHOXD; CHRED; CARBN; or BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	Benzotri- chloride	U049	NA	3165-93-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	4-Chloro-o- toluidine hydrochloride
U026	NA	494-03-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Chlornaphazin	U053	NA	4170-30-3	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Crotonaldehyde
U033	NA	353-50-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Carbonyl fluoride	U055	NA	98-82-8	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Cumene
						U056	NA	110-82-7	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Cyclohexane
						U057	Table B	108-94-1	NA	FSUBS; or INCIN	Cyclohexanone

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

U058	NA	50-18 -0	CARBN; or INCIN	FSUBS; or INCIN	Cyclophosph- amide	
U059	NA	20830-81 -3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Daunomycin	
U062	NA	2303-16 -4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Diallate	
U064	NA	189-55 -9	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	1,2,7,8-Di- benzopyrene	
U073	NA	91-94 -1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	3,3'-Dichloro- benzidine	
U074	NA	1476-11 -5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	cis-1,4-Di- chloro-2- butene; trans- 1,4-Dichloro- 2-butene	
U085	NA	1464-53 -5	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	1,2:3,4-Di- epoxybutane	
U086	NA	1615-80 -1	CHOXD; CHRED; CARBN; BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	N,N-Diethyl- hydrazine	
U087	NA	3288-58 -2	CARBN; or INCIN	FSUBS; or INCIN	O,o-Diethyl s- methyldithio- phosphate	
U089	NA	56-53 -1	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Diethyl stilbestrol	
U090	NA	94-58	(WETOX or	FSUBS; or	Dihydrosafrole	

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

U091	NA	119-90 -4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	3,3'-Di- methoxy- benzidine	
U092	NA	124-40 -3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Dimethylamine	
U093	Table B	621-90 -9	NA	INCIN	p-Dimethyl- aminoazo- benzene	
U094	NA	57-97 -6	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	7,12-Dimethyl- benz(a)- anthracene	
U095	NA	119-93 -7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	3,3'-Dimethyl- benzidine	
U096	NA	80-15 -9	CHOXD; CHRED; CARBN; BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	alpha, alpha- Dimethyl- benzyl hydro- peroxide	
U097	NA	79-44 -7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Dimethyl- carbamoyl chloride	
U098	NA	57-14 -7	CHOXD; CHRED; CARBN; BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	1,1- Dimethylhydra- zine	
U099	NA	540-73 -8	CHOXD; CHRED; CARBN; BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	1,2-Dimethyl- hydrazine	

POLLUTION CONTROL BOARD

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

U103	NA	77-78 -1	CHOXD; CHRED; CARBN; or BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	Dimethyl sulfate	U124	NA	110-00 -9	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Furan
U109	NA	122-66 -7	CHOXD; CHRED; CARBN; or BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	1,2-Diphenyl- hydrazine	U125	NA	98-01 -1	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Furfural
U110	NA	142-84 -7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Dipropylamine	U126	NA	765-34 -4	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Glycidylal- dehyde
U113	NA	140-88 -5	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Ethyl acrylate	U132	NA	70-30 -4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Hexachloro- phene
U114	NA	111-54 -6	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Ethylenebis- dithiocarbamic acid	U133	NA	302-01 -2	CHOXD; CHRED; CARBN; BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	Hydrazine
U115	NA	75-21 -8	(WETOX or CHOXD) fb CARBN; or INCIN	CHOXD; or INCIN	Ethylene oxide	U134	Table B	7664-39 -3	NA	ADGAS fb NEUTR; or NEUTR	Hydrogen fluoride
U116	NA	96-45 -7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Ethylene thio- urea	U135	NA	7783-06 -4	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN	Hydrogen Sulfide
U119	NA	62-50 -0	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Ethyl methane- sulfonate	U143	NA	303-34 -4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Lasiocarpine
U122	NA	50-00 -0	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Formaldehyde	U147	NA	108-31 -6	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Maleic anhydride
U123	NA	64-18 -6	(WETOX or CHOXD) fb	FSUBS; or INCIN	Formic acid	U148	NA	123-33 -1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Maleic hydrazide

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

U149	NA	109-77 -3	INCIN	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Malononitrile	U166	NA	130-15 -4	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	1,4-Naphtho- quinone
U150	NA	148-82 -3	INCIN	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Melphalan	U167	NA	134-32 -7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	1-Naphthyl- amine
U151	Tables A & B	7439-97 -6	NA	RMERC	RMERC	Mercury: (High Mercury Subcategory-- greater than or equal to 260 mg/kg total Mercury)	U168	Table B	91-59 -8	NA	INCIN	2-Naphthyl- amine
U153	NA	74-93 -1	INCIN	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Methanethiol	U171	NA	79-46 -9	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	2-Nitropropane
U154	NA	67-56 -1	FSUBS; or INCIN	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Methanol	U176	NA	759-73 -9	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	N-Nitroso-N- ethylurea
U156	NA	79-22 -1	INCIN	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Methyl chloro- carbonate	U177	NA	684-93 -5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	N-Nitroso-N- methylurea
U160	NA	1338-23 -4	FSUBS; CHOXD; CHRED; CARBN BIODG; or INCIN	CHOXD; CHRED; CARBN BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	Methyl ethyl ketone peroxide	U178	NA	615-53 -2	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	N-Nitroso-N- methylurethane
U163	NA	70-25 -7	INCIN	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	N-Methyl-N'- nitro-N- Nitroso- guanidine	U182	NA	123-63-7	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Paraldehyde
U164	NA	56-04 -2	INCIN	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Methylthio- uracil	U184	NA	76-01 -7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Pentachloro- ethane
							U186	NA	504-60	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	1,3-Pentadiene

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

U238	NA	51-79 -6	CARB; or INCIN	INCIN	Ethyl carbamate
U240	NA	94-75 -7 *	(WETOX or CHOXD) fb CARB; or INCIN	INCIN	2,4-Dichloro- phenoxyacetic acid (salts and esters)
U244	NA	137-26 -8	(WETOX or CHOXD) fb CARB; or INCIN	INCIN	Thiram
U246	NA	506-68 -3	CHOXD; WETOX; or INCIN	CHOXD; WETOX; or INCIN	Cyanogen bromide
U248	NA	81-81 -2	(WETOX or CHOXD) fb CARB; or INCIN	FSUBS; or INCIN	Warfarin (0.3% or less)
U249	NA	1314-84 -7	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN	Zinc Phosphide ($<10\%$)
U328	NA	95-53-4	INCIN; or CHOXD fb (BIODG or CARBN); or BIODG fb CARBN	INCIN; or Thermal Destructio n.	o-toluidine
U353	NA	106-49-0	INCIN; or CHOXD fb (BIODG or CARBN); or BIODG fb CARBN	INCIN; or Thermal Destructio n.	p-toluidine
U359	NA	110-80-5	INCIN; or CHOXD fb (BIODG or CARBN); or	INCIN; or FSUBS.	2-ethoxy-ethanol

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

BIODG fb
CARBN

A CAS Number given for parent compound only.

B This waste code exists in gaseous form and is not categorized as wastewater or nonwastewater forms.

NA Not Applicable.

BOARD NOTE: When a combination of these technologies (i.e., a treatment train) is specified as a single treatment standard, the order of application is specified in this Table by indicating the five letter technology code that must be applied first, then the designation "fb" (an abbreviation for "Followed by"), then the five letter technology code for the technology that must be applied next, and so on. When more than one technology (or treatment train) are specified a alternative treatment standards, the five letter technology codes (or the treatment trains) are separated by a semicolon (;) with the last technology preceded by the word "or". This indicates that any one of these BODG technologies or treatment trains can be used for compliance with the standard. See Section 728. Table C for a listing of the technology codes and technology-based treatment standards. Derived from 40 CFR 268.42, Table 2 (1992), as amended at 57 Fed. Reg. 37273 (Aug. 18, 1992) and 59 Fed. Reg. 31552 (June 20, 1994).

(Source: Amended at 18 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Standards For Owners And Operators Of Hazardous Waste Treatment, Storage, And Disposal Facilities

- 2) Code citation: 35 Ill. Adm. Code 724

- 3) Section numbers: Proposed action:

724.152 Amendment
724.156 Amendment
724.251 Amendment
724.Appendix A

- 4) Statutory authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1022.4 and 1027 [415 ILCS 5/22.4 and 27].

- 5) A complete description of the subjects and issues involved:

A more detailed description is contained in the Board's Proposed Opinion of August 11, 1994, in R94-17, which Opinion is available from the address below. Section 22.4(a) of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1022.4(a)) [415 ILCS 5/22.4(a)] provides that Section 5 of the Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1005-35 and 1005-40) [5 ILCS 100/5-35 and 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

This rulemaking updates Parts 704, 720, 721, 724, 725, 728, and 739 of the Illinois RCRA Subtitle C hazardous waste rules to correspond with amendments adopted by U.S. EPA which appeared in the Federal Register during the period January 1 through June 30, 1994. During this period, U.S. EPA amended its regulations as follows:

Federal Action

Summary

59 Fed. Reg. 458,
January 4, 1994

Determination not to regulate wastes from wood surface protection as listed hazardous wastes; update of SW-846 to include a new method; addition of four chemicals to listing of hazardous constituents

59 Fed. Reg. 8362,
February 18, 1994

Amendment of treatability study exclusion from definition of solid waste

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

59 Fed. Reg. 10550,
March 4, 1994

Clarification of used oil regulations to clarify that used oil mixed with crude oil or natural gas liquids are exempted from the used oil regulations; exemption of crude oil mixed with small amounts of used oil that is destined for insertion into a refining process; exclusions for certain activities from regulation as used oil processing

59 Fed. Reg. 13891,
March 24, 1994

Amendment of handling codes for periodic T/S/D facility reports

59 Fed. Reg. 28484,
June 2, 1994

Corrections to the wood surface protection determination amendments

59 Fed. Reg. 29372,
June 7, 1994

Response to Supreme Court remand in City of Chicago v. Environmental Defense Fund, Inc., -- U.S. --, 114 S. Ct. 1588, 128 L. Ed. 2d 302 (1994): U.S. EPA granted an extension for facilities managing waste-to-energy facility ash to file a Part A permit application.

59 Fed. Reg. 29958,
June 10, 1994

Amendment of references to the prescribed form for a letter of credit Used for RCRA Subtitle C, underground injection, and underground storage tanks to indicate copyright

59 Fed. Reg. 31551,
June 20, 1994

Correction of hazardous waste listing (P015), hazardous constituent listing, and land disposal restrictions listing for beryllium to beryllium powder

The June 7, 1994 action constituted a U.S. EPA determination that substantial confusion existed relating to the regulatory status of a waste, and it granted an extension of the time by which facilities managing the waste must file a Part A permit application. Although no Board action is required based on the June 7 federal action, we undertake an amendment to notify the regulated community of the change in law arising through the Supreme Court's decision and the U.S. EPA response.

Specifically, the segment of the amendments involved in Part 724 incorporate the revised reporting codes and financial assurance form. The Board further makes a number of grammatical, punctuation, and stylistic corrections to the opened Sections. One significant correction is to the federal base text. U.S. EPA cites 40 CFR 1510, which the Board has corrected to 40 CFR 300 in response to public inquiries. U.S. EPA redesignated this material as 40 CFR 300 in 1992, but never followed

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

through and corrected the references to it in the federal regulations.

6) Will this proposed rule replace an emergency rule currently in effect?
No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Do these proposed amendments contain incorporations by reference?

Yes. The existing text of the hazardous waste regulations incorporate numerous documents by reference. 35 Ill. Adm. Code 720.111 is the central listing of incorporations for all documents referred to throughout the text of the regulations. The present amendments update references to federal regulations for the financial responsibility forms and revised reporting codes.

9) Are there any other amendments pending on this Part? No.

10) Statement of statewide policy objectives:

This rulemaking is mandated by Section 22.4(a) of the Environmental Protection Act. The statewide policy objectives are set forth in Section 20 of that Act. This rulemaking imposes mandates on units of local government only to the extent that they may be involved in the generation, transportation, treatment, storage, or disposal of hazardous waste.

11) Time, place and manner in which interested persons may comment on this proposed rulemaking:

The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R94-17 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

Address all questions to Michael J. McCambridge, at 312-814-6924.

12) Initial regulatory flexibility analysis:

A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: August 16, 1994.

B) Types of small businesses affected:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

The existing rules and proposed amendments affect small businesses which generate, transport, treat, store, or dispose of hazardous waste. The present amendments will have little impact on those businesses. The expansion of the treatability study exemption constitutes a regulatory relaxation for certain facilities engaging in hazardous waste treatability studies. The update to SW-846 substitutes updated methods for physical and chemical analysis for some existing methods, which could have minor impact on businesses engaging in analysis of these wastes. The listing of additional hazardous constituents should have little impact because U.S. EPA stated that no wood treatment presently uses these chemicals. The clarifications of the used oil regulations constitute a regulatory relaxation for certain petroleum refining facilities and petroleum and natural gas pipeline facilities that manage used oil. The revised reporting codes and the copyright designation on the financial responsibility will affect businesses that must report or use the prescribed letter of credit form, but the impact of those revisions will likely be minimal.

C) Reporting, bookkeeping or other procedures required for compliance:

The existing rules and proposed amendments require extensive reporting, bookkeeping, and other procedures, including the preparation of manifests and annual reports, waste analyses, and maintenance of operating records. The present amendments will have little impact on those businesses. The expansion of the treatability study exemption constitutes a regulatory relaxation for certain facilities engaging in hazardous waste treatability studies. The update to SW-846 substitutes updated methods for physical and chemical analysis for some existing methods, which could have minor impact on businesses engaging in analysis of these wastes. The listing of additional hazardous constituents should have little impact because U.S. EPA stated that no wood treatment presently uses these chemicals. The clarifications of the used oil regulations constitute a regulatory relaxation for certain petroleum refining facilities and petroleum and natural gas pipeline facilities that manage used oil. The revised reporting codes and the copyright designation on the financial responsibility will affect businesses that must report or use the prescribed letter of credit form, but the impact of those revisions will likely be minimal.

D) Types of professional skills necessary for compliance:

Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist, and registered professional engineer.

The full text of the proposed amendments begins on the next page:

POLLUTION CONTROL BOARD

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

PART 724

STANDARDS FOR OWNERS AND OPERATORS OF
HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SUBPART A: GENERAL PROVISIONS

Section
724.101
724.103

Purpose, Scope and Applicability
Relationship to Interim Status Standards

SUBPART B: GENERAL FACILITY STANDARDS

Section
724.110
724.111
724.112
724.113

Applicability
Identification Number
Required Notices
General Waste Analysis

724.114
724.115
724.116
724.117
724.118
724.119

Security
General Inspection Requirements
Personnel Training
General Requirements for Ignitable, Reactive or Incompatible Wastes
Location Standards
Construction Quality Assurance Program

SUBPART C: PREPAREDNESS AND PREVENTION

Section
724.130
724.131
724.132
724.133
724.134
724.135
724.137

Applicability
Design and Operation of Facility
Required Equipment
Testing and Maintenance of Equipment
Access to Communications or Alarm System
Required Aisle Space
Arrangements with Local Authorities

SUBPART D: CONTINGENCY PLAN AND EMERGENCY PROCEDURES

Section
724.150
724.151
724.152
724.153
724.154
724.155

Applicability
Purpose and Implementation of Contingency Plan
Content of Contingency Plan
Copies of Contingency Plan
Amendment of Contingency Plan
Emergency Coordinator

724.156

Emergency Procedures

SUBPART E: MANIFEST SYSTEM, RECORDKEEPING AND REPORTING

Section
724.170
724.171
724.172
724.173
724.174
724.175
724.176
724.177

Applicability
Use of Manifest System
Manifest Discrepancies
Operating Record
Availability, Retention and Disposition of Records
Annual Report
Unmanifested Waste Report
Additional Reports

SUBPART F: RELEASES FROM SOLID WASTE MANAGEMENT UNITS

Section
724.190
724.191
724.192
724.193
724.194
724.195
724.196
724.197
724.198
724.199
724.200
724.201

Applicability
Required Programs
Groundwater Protection Standard
Hazardous Constituents
Concentration Limits
Point of Compliance
Compliance Period
General Groundwater Monitoring Requirements
Detection Monitoring Program
Compliance Monitoring Program
Corrective Action Program
Corrective Action for Solid Waste Management Units

SUBPART G: CLOSURE AND POST-CLOSURE

Section
724.210
724.211
724.212
724.213
724.214
724.215
724.216
724.217
724.218
724.219
724.220

Applicability
Closure Performance Standard
Closure Plan; Amendment of Plan
Closure; Time Allowed For Closure
Disposal or Decontamination of Equipment, Structures and Soils
Certification of Closure
Survey Plat
Post-closure Care and Use of Property
Post-closure Plan; Amendment of Plan
Post-closure Notices
Certification of Completion of Post-closure Care

SUBPART H: FINANCIAL REQUIREMENTS

Section
724.240

Applicability

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

724.241 Definitions of Terms As Used In This Subpart
 724.242 Cost Estimate for Closure
 724.243 Financial Assurance for Closure
 724.244 Cost Estimate for Post-closure Care
 724.245 Financial Assurance for Post-closure Care
 724.246 Use of a Mechanism for Financial Assurance of Both Closure and Post-closure Care
 724.247 Liability Requirements
 724.248 Incapacity of Owners or Operators, Guarantors or Financial Institutions
 724.251 Wording of the Instruments

SUBPART I: USE AND MANAGEMENT OF CONTAINERS

Section
 724.270 Applicability
 724.271 Condition of Containers
 724.272 Compatibility of Waste With Container
 724.273 Management of Containers
 724.274 Inspections
 724.275 Containment
 724.276 Special Requirements for Ignitable or Reactive Waste
 724.277 Special Requirements for Incompatible Wastes
 724.278 Closure

SUBPART J: TANK SYSTEMS

Section
 724.290 Applicability
 724.291 Assessment of Existing Tank System's Integrity
 724.292 Design and Installation of New Tank Systems or Components
 724.293 Containment and Detection of Releases
 724.294 General Operating Requirements
 724.295 Inspections
 724.296 Response to Leaks or Spills and Disposition of Leaking or unit-for-use Tank Systems
 724.297 Closure and Post-Closure Care
 724.298 Special Requirements for Ignitable or Reactive Waste
 724.299 Special Requirements for Incompatible Wastes
 724.300 Special Requirements for Hazardous Wastes F020, F021, F022, F023, F026 and F027

SUBPART K: SURFACE IMPOUNDMENTS

Section
 724.320 Applicability
 724.321 Design and Operating Requirements
 724.322 Action Leakage Rate
 724.324 Response Actions

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

724.326 Monitoring and Inspection
 724.327 Emergency Repairs; Contingency Plans
 724.328 Closure and Post-closure Care
 724.329 Special Requirements for Ignitable or Reactive Waste
 724.330 Special Requirements for Incompatible Wastes
 724.331 Special Requirements for Hazardous Wastes F020, F021, F022, F023, F026 and F027

SUBPART L: WASTE PILES

Section
 724.350 Applicability
 724.351 Design and Operating Requirements
 724.352 Action Leakage Rate
 724.353 Response Action Plan
 724.354 Monitoring and Inspection
 724.356 Special Requirements for Ignitable or Reactive Waste
 724.357 Special Requirements for Incompatible Wastes
 724.358 Closure and Post-closure Care
 724.359 Special Requirements for Hazardous Wastes F020, F021, F022, F023, F026 and F027

SUBPART M: LAND TREATMENT

Section
 724.370 Applicability
 724.371 Treatment Program
 724.372 Treatment Demonstration
 724.373 Design and Operating Requirements
 724.376 Food-chain Crops
 724.378 Unsaturated Zone Monitoring
 724.379 Recordkeeping
 724.380 Closure and Post-closure Care
 724.381 Special Requirements for Ignitable or Reactive Waste
 724.382 Special Requirements for Incompatible Wastes
 724.383 Special Requirements for Hazardous Wastes F020, F021, F022, F023, F026 and F027

SUBPART N: LANDFILLS

Section
 724.400 Applicability
 724.401 Design and Operating Requirements
 724.402 Action Leakage Rate
 724.403 Monitoring and Inspection
 724.404 Response Actions
 724.409 Surveying and Recordkeeping
 724.410 Closure and Post-closure Care
 724.412 Special Requirements for Ignitable or Reactive Waste

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

724.413 Special Requirements for Incompatible Wastes
 724.414 Special Requirements for Bulk and Containerized Liquids
 724.415 Special Requirements for Containers
 724.416 Disposal of Small Containers of Hazardous Waste in Overpacked Drums (Lab Packs)
 724.417 Special Requirements for Hazardous Wastes F020, F021, F022, F023, F026 and F027

SUBPART O: INCINERATORS

Section
 724.440 Applicability
 724.441 Waste Analysis
 724.442 Principal Organic Hazardous Constituents (POHCs)
 724.443 Performance Standards
 724.444 Hazardous Waste Incinerator Permits
 724.445 Operating Requirements
 724.447 Monitoring and Inspections
 724.451 Closure

SUBPART S: CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS

Section
 724.652 Corrective Action Management Units
 724.653 Temporary Units

SUBPART W: DRIP PADS

Section
 724.670 Applicability
 724.671 Assessment of existing drip pad integrity
 724.672 Design and installation of new drip pads
 724.673 Design and operating requirements
 724.674 Inspections
 724.675 Closure

SUBPART X: MISCELLANEOUS UNITS

Section
 724.700 Applicability
 724.701 Environmental Performance Standards
 724.702 Monitoring, Analysis, Inspection, Response, Reporting and Corrective Action
 724.703 Post-closure Care

SUBPART AA: AIR EMISSION STANDARDS FOR PROCESS VENTS

Section
 724.930 Applicability

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

724.931 Definitions
 724.932 Standards: Process Vents
 724.933 Standards: Closed-vent Systems and Control Devices
 724.934 Test methods and procedures
 724.935 Recordkeeping requirements
 724.936 Reporting Requirements

SUBPART BB: AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS

Section
 724.950 Applicability
 724.951 Definitions
 724.952 Standards: Pumps in Light Liquid Service
 724.953 Standards: Compressors
 724.954 Standards: Pressure Relief Devices in Gas/Vapor Service
 724.955 Standards: Sampling Connecting Systems
 724.956 Standards: Open-ended Valves or Lines
 724.957 Standards: Valves in Gas/Vapor or Light Liquid Service
 724.958 Standards: Pumps, Valves, Pressure Relief Devices and Other Connectors
 724.959 Standards: Delay of Repair
 724.960 Standards: Closed-vent Systems and Control Devices
 724.961 Alternative Percentage Standard for Valves
 724.962 Skip Period Alternative for Valves
 724.963 Test Methods and Procedures
 724.964 Recordkeeping Requirements
 724.965 Reporting Requirements

SUBPART DD: CONTAINMENT BUILDINGS

Section
 724.1100 Applicability
 724.1101 Design and operating standards
 724.1102 Closure and post-closure care

APPENDIX A Recordkeeping Instructions
 APPENDIX B EPA Report Form and Instructions (Repealed)
 APPENDIX D Cochran's Approximation to the Behrens-Fisher Student's T-Test
 APPENDIX E Examples of Potentially Incompatible Waste
 APPENDIX I Groundwater Monitoring List

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R82-19, 53 PCB 131, at 7 Ill. Reg. 14059, effective October 12, 1983; amended in R84-9 at 9 Ill. Reg. 11964, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 1136, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 14119, effective August 12, 1986; amended in R86-28 at 11 Ill. Reg. 6138, effective March 24, 1987; amended in R86-28 at 11 Ill. Reg.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

8684, effective April 21, 1987; amended in R86-46 at 11 Ill. Reg. 13577, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19397, effective November 12, 1987; amended in R87-39 at 12 Ill. Reg. 13135, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 458, effective December 28, 1988; amended in R89-1 at 13 Ill. Reg. 18527, effective November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14511, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16658, effective September 25, 1990; amended in R90-11 at 15 Ill. Reg. 9654, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14572, effective October 1, 1991; amended in R91-13 at 16 Ill. Reg. 9833, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17702, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5806, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20830, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6973, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12487, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. _____, effective _____.

NOTE: In this Part, superscript numbers or letters are denoted by parentheses; subscript are denoted by brackets.

Section 724.152 Content of Contingency Plan

- a) The contingency plan must describe the actions facility personnel must take to comply with Section 724.151 and Section 724.156 in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the facility.
- b) If the owner or operator has already prepared a Spill Prevention Control and Countermeasures (SPCC) Plan in accordance with 40 CFR part 112 or 1510 300, or some other emergency or contingency plan, the owner or operator need only amend that plan to incorporate hazardous waste management provisions that are sufficient to comply with the requirements of this Part.
- c) The plan must describe arrangements agreed to by local police departments, fire departments, hospitals, contractors, and state and local emergency response teams to coordinate emergency services pursuant to Section 724.137.
- d) The plan must list names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator (see Section 724.155), and this list must be kept up to date. Where more than one person is listed, one must be named as primary emergency coordinator and others must be listed in the order in which they will assume responsibility as alternates. For new facilities, this information must be supplied to the Agency at the time of certification, rather than at the time of permit application.
- e) The plan must include a list of all emergency equipment at the facility [such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external) and decontamination equipment], where this equipment is required. This list must be kept up to date. In addition, the plan must include the

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

location and a physical description of each item on the list, and a brief outline of its capabilities.
 f) The plan must include an evacuation plan for facility personnel where there is a possibility that evacuation could be necessary. This plan must describe signal(s) to be used to begin evacuation, evacuation routes and alternate evacuation routes (in cases where the primary routes could be blocked by releases of hazardous waste or fires).

(Source: Amended at 18 Ill. Reg. _____, effective _____.)

Section 724.156 Emergency Procedures

- a) Whenever there is an imminent or actual emergency situation, the emergency coordinator (or the designee when the emergency coordinator is on call) must shall immediately:
 - 1) Activate internal facility alarms or communication systems, where applicable, to notify all facility personnel; and
 - 2) Notify appropriate state or local agencies with designated response roles if their help is needed.
- b) Whenever there is a release, fire or explosion, the emergency coordinator must shall immediately identify the character, exact source, amount, and areal extent of any released materials. The emergency coordinator may do this by observation or review of facility records or manifests, and, if necessary, by chemical analysis.
- c) Concurrently, the emergency coordinator must shall assess possible hazards to human health or the environment that may result from the release, fire, or explosion. This assessment must consider both direct and indirect effects of the release, fire, or explosion (e.g., the effects of any toxic, irritating, or asphyxiating gases that are generated, or the effects of any hazardous surface water run-off from water or chemical agents used to control fire and heat-induced explosions).
- d) If the emergency coordinator determines that the facility has had a release, fire, or explosion which that could threaten human health, or the environment, outside the facility, the emergency coordinator must shall report the findings as follows:
 - 1) If the assessment indicates that evacuation of local areas may be advisable, the emergency coordinator must shall immediately notify appropriate local authorities. The emergency coordinator must be available to help appropriate officials decide whether local areas should be evacuated; and
 - 2) The emergency coordinator must shall immediately notify either the government official designated as the on-scene coordinator for that geographical area (in the applicable regional contingency plan under 40 CFR Part 1510 300), or the National Response Center (using their 24-hour toll free number 800/424-8802). The report must include:
 - A) Name and telephone number of reporter;

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- B) Name and address of facility;
- C) Time and type of incident (e.g., release, fire);
- D) Name and quantity of material(s) involved, to the extent known;
- E) The extent of injuries, if any; and
- F) The possible hazards to human health, or the environment, outside the facility.

e) During an emergency, the emergency coordinator must shall take all reasonable measures necessary to ensure that fires, explosions, and releases do not occur, recur, or spread to other hazardous waste at the facility. These measures must include, where applicable, stopping processes and operations, collecting and containing release waste, and removing or isolating containers.

f) If the facility stops operations in response to a fire, explosion or release, the emergency coordinator must shall monitor for leaks, pressure buildup, gas generation, or ruptures in valves, pipes, or other equipment, wherever this is appropriate.

g) Immediately after an emergency, the emergency coordinator must shall provide for treating, storing, or disposing of recovered waste, contaminated soil or surface water, or any other material that results from a release, fire, or explosion at the facility.

BOARD NOTE: Unless the owner or operator can demonstrate, in accordance with 35 Ill. Adm. Code 721.103(c) or (d), that the recovered material is not a hazardous waste, the owner or operator becomes a generator of hazardous waste and must shall manage it in accordance with all applicable requirements of 35 Ill. Adm. Code 722, 723, and 724.

h) The emergency coordinator must shall ensure that, in the affected area(s) of the facility:

- 1) No waste that may be incompatible with the released material is treated, stored, or disposed of until cleanup procedures are completed; and
- 2) All emergency equipment listed in the contingency plan is cleaned and fit for its intended use before operations are resumed.

i) The owner or operator must shall notify the Agency, and appropriate state and local authorities, that the facility is in compliance with paragraph (h) before operations are resumed in the affected area(s) of the facility.

j) The owner or operator must shall note in the operating record the time, date and details of any incident that requires implementing the contingency plan. Within 15 days after the incident, the owner or operator must shall submit a written report on the incident to the Agency. The report must include:

- 1) Name, address, and telephone number of the owner or operator;
- 2) Name, address, and telephone number of the facility;
- 3) Date, time, and type of incident (e.g., fire, explosion);
- 4) Name and quantity of material(s) involved;
- 5) The extent of injuries, if any;
- 6) An assessment of actual or potential hazards to human health or

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- the environment, where this is applicable; and
- 7) Estimated quantity and disposition of recovered material that resulted from the incident.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 724.251 Wording of the Instruments

The Board incorporates by reference 40 CFR 264.151 (19881992), as amended at 57 Fed. Reg. 42832 29260, September 10, 1992 1994. This Section incorporates no later amendments or editions. The Agency will shall promulgate standardized forms based on 40 CFR 264.151 with such changes in wording as are necessary under Illinois law. Any owner or operator required to establish financial assurance under this Subpart shall do so only upon the standardized forms promulgated by the Agency. The Agency shall reject any financial assurance document which that is not submitted on such standardized forms.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Section 724. APPENDIX A Recordkeeping Instructions

See The Board hereby incorporates by reference 40 CFR 264, Appendix I (1992), as amended at 59 Fed. Reg. 13891 (Mar. 24, 1994). This incorporation includes no later amendments or editions.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Standards For The Management Of Used Oil

2) Code citation: 35 Ill. Adm. Code 739

3) Section numbers: Proposed action:

739.100, 739.110, 739.120 Amendment
739.141, 739.144, 739.146 Amendment
739.152, 739.153, 739.163 Amendment
739.171 Amendment

4) Statutory authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1022.4 and 1027 [415 ILCS 5/22.4 and 27].

5) A complete description of the subjects and issues involved:

A more detailed description is contained in the Board's Proposed Opinion of August 11, 1994, in R94-17, which Opinion is available from the address below. Section 22.4(a) of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1022.4(a)) [415 ILCS 5/22.4(a)] provides that Section 5 of the Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1005-35 and 1005-40) [5 ILCS 100/5-35 and 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

This rulemaking updates Parts 704, 720, 721, 724, 725, 728, and 739 of the Illinois RCRA Subtitle C hazardous waste rules to correspond with amendments adopted by U.S. EPA which appeared in the Federal Register during the period January 1 through June 30, 1994. During this period, U.S. EPA amended its regulations as follows:

Federal Action

Summary

59 Fed. Reg. 458,
January 4, 1994

Determination not to regulate wastes from wood surface protection as listed hazardous wastes; update of SW-846 to include a new method; addition of four chemicals to listing of hazardous constituents

59 Fed. Reg. 8362,
February 18, 1994

Amendment of treatability study exclusion from definition of solid waste

59 Fed. Reg. 10550,
March 4, 1994

Clarification of used oil regulations to clarify that used oil mixed with crude oil or natural gas liquids are exempted from the used oil regulations; exemption of crude oil mixed with small amounts of used oil that is destined for insertion into a refining process; exclusions for certain activities

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 59 Fed. Reg. 13891, March 24, 1994
Amendment of handling codes for periodic T/S/D facility reports
- 59 Fed. Reg. 28484, June 2, 1994
Corrections to the wood surface protection determination amendments
- 59 Fed. Reg. 29372, June 7, 1994
Response to Supreme Court remand in City of Chicago v. Environmental Defense Fund, Inc., -- U.S. --, 114 S. Ct. 1588, 128 L. Ed. 2d 302 (1994); U.S. EPA granted an extension for facilities managing waste-to-energy facility ash to file a Part A permit application.

59 Fed. Reg. 29958, June 10, 1994
Amendment of references to the prescribed form for a letter of credit Used for RCRA Subtitle C, underground injection, and underground storage tanks to indicate copyright

59 Fed. Reg. 31551, June 20, 1994
Correction of hazardous waste listing (P015), hazardous constituent listing, and land disposal restrictions listing for beryllium to beryllium powder

The June 7, 1994 action constituted a U.S. EPA determination that substantial confusion existed relating to the regulatory status of a waste, and it granted an extension of the time by which facilities managing the waste must file a Part A permit application. Although no Board action is required based on the June 7 federal action, we undertake an amendment to notify the regulated community of the change in law arising through the Supreme Court's decision and the U.S. EPA response.

Specifically, the segment of the amendments involved in Part 739 incorporate the federal clarifications of the used oil regulations as they relate to crude oil and natural gas liquids pipelines and petroleum refining. This segment also includes a federal amendment to references to SW-846 that deleted the listed price for that document. The Board further makes a number of grammatic, punctuation, and stylistic corrections to the opened Sections. One significant correction is to the federal base text. U.S. EPA cites 40 CFR 1510, which the Board has corrected to 40 CFR 300 in response to public inquiries. U.S. EPA redesignated this material as 40 CFR 300 in 1982, but never followed through and corrected the references to it in the federal regulations.

- 6) Will this proposed rule replace an emergency rule currently in effect?
No.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Do these proposed amendments contain incorporations by reference?
Yes. The existing text of the hazardous waste regulations incorporate numerous documents by reference. 35 Ill. Adm. Code 720.111 is the central listing of incorporations for all documents referred to throughout the text of the regulations. The present amendments amend references to SW-846, to delete the incorrect price of that document from the Government Printing Office.
- 9) Are there any other amendments pending on this Part? No.
- 10) Statement of statewide policy objectives:

This rulemaking is mandated by Section 22.4(a) of the Environmental Protection Act. The statewide policy objectives are set forth in Section 20 of that Act. This rulemaking imposes mandates on units of local government only to the extent that they may be involved in the generation, transportation, treatment, storage, or disposal of hazardous waste.

- 11) Time, place and manner in which interested persons may comment on this Proposed rulemaking:

The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R94-17 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

Address all questions to Michael J. McCambridge, at 312-814-6924.

- 12) Initial regulatory flexibility analysis:

A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: August 16, 1994.

B) Types of small businesses affected:

The existing rules and proposed amendments affect small businesses which generate, transport, treat, store, or dispose of hazardous waste. The present amendments will have little impact on those businesses. The expansion of the treatability study exemption

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

constitutes a regulatory relaxation for certain facilities engaging in hazardous waste treatability studies. The update to SW-846 substitutes updated methods for physical and chemical analysis for some existing methods, which could have minor impact on businesses engaging in analysis of these wastes. The listing of additional hazardous constituents should have little impact because U.S. EPA stated that no wood treatment presently uses these chemicals. The clarifications of the used oil regulations constitute a regulatory relaxation for certain petroleum refining facilities and petroleum and natural gas pipeline facilities that manage used oil. The revised reporting codes and the copyright designation on the financial responsibility will affect businesses that must report or use the prescribed letter of credit form, but the impact of those revisions will likely be minimal.

C) Reporting, bookkeeping or other procedures required for compliance:

The existing rules and proposed amendments require extensive reporting, bookkeeping, and other procedures, including the preparation of manifests and annual reports, waste analyses, and maintenance of operating records. The present amendments will have little impact on those businesses. The expansion of the treatability study exemption constitutes a regulatory relaxation for certain facilities engaging in hazardous waste treatability studies. The update to SW-846 substitutes updated methods for physical and chemical analysis for some existing methods, which could have minor impact on businesses engaging in analysis of these wastes. The listing of additional hazardous constituents should have little impact because U.S. EPA stated that no wood treatment presently uses these chemicals. The clarifications of the used oil regulations constitute a regulatory relaxation for certain petroleum refining facilities and petroleum and natural gas pipeline facilities that manage used oil. The revised reporting codes and the copyright designation on the financial responsibility will affect businesses that must report or use the prescribed letter of credit form, but the impact of those revisions will likely be minimal.

D) Types of professional skills necessary for compliance:

Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist, and registered professional engineer.

The full text of the proposed amendments begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE G: WASTE DISPOSAL
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER e: SPECIFIC HAZARDOUS WASTE MANAGEMENT STANDARDS

PART 739

STANDARDS FOR THE MANAGEMENT OF USED OIL

SUBPART A: DEFINITIONS

Section
739.100
Definitions

SUBPART B: APPLICABILITY

Section
739.110
Applicability
739.111
Used oil specifications
739.112
Prohibitions

SUBPART C: STANDARDS FOR USED OIL GENERATORS

Section
739.120
Applicability
739.121
Hazardous waste mixing
739.122
Used oil storage
739.123
On-site burning in space heaters
739.124
Off-site shipments

SUBPART D: STANDARDS FOR USED OIL COLLECTION CENTERS AND AGGREGATION POINTS

Section
739.130
Do-it-yourselfer used oil collection centers
739.131
Used oil collection centers
739.132
Used oil aggregate points owned by the generator

SUBPART E: STANDARDS FOR USED OIL TRANSPORTER AND TRANSFER FACILITIES

Section
739.140
Applicability
739.141
Restrictions on transporters who are not also processors
739.142
Notification
739.143
Used oil transportation
739.144
Rebuttable presumption for used oil
739.145
Used oil storage at transfer facilities
739.146
Tracking

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

739.147 Management of residues

SUBPART F: STANDARDS FOR USED OIL PROCESSORS

Section
 739.150 Applicability
 739.151 Notification
 739.152 General facility standards
 739.153 Rebuttable presumption for used oil
 739.154 Used oil management
 739.155 Analysis plan
 739.156 Tracking
 739.157 Operating record and reporting
 739.158 Off-site shipments of used oil
 739.159 Management of residues

SUBPART G: STANDARDS FOR USED OIL BURNERS WHO BURN OFF-SPECIFICATION USED OIL FOR ENERGY RECOVERY

Section
 739.160 Applicability
 739.161 Restriction on burning
 739.162 Notification
 739.163 Rebuttable presumption for used oil
 739.164 Used oil storage
 739.165 Tracking
 739.166 Notices
 739.167 Management of residues

SUBPART H: STANDARDS FOR USED OIL FUEL MARKETERS

Section
 739.170 Applicability
 739.171 Prohibitions
 739.172 On-specification used oil fuel
 739.173 Notification
 739.174 Tracking
 739.175 Notices

SUBPART I: STANDARDS FOR USE AS A DUST SUPPRESSANT DISPOSAL OF USED OIL

Section
 739.180 Applicability
 739.181 Disposal
 739.182 Use as a dust suppressant

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

SOURCE: Adopted in R93-4 at 17 Ill. Reg. 20954, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6931, effective April 26, 1994; amended in R94-17 at 18 Ill. Reg. _____, effective _____.

SUBPART A: DEFINITIONS

Section 739.100 Definitions

Terms that are defined in 35 Ill. Adm. Code 720.110, 721.101, and 731.112 have the same meanings when used in this Part.

"Aboveground tank" means a tank used to store or process used oil that is not an underground storage tank as defined in 35 Ill. Adm. Code 280.12.

BOARD NOTE: This definition is different from the definition for "Aboveground tank" given in 35 Ill. Adm. Code 720.110. Although the meanings are similar, the main distinction is that the definition for this Part limits the tanks to those used to store or process used oil, whereas the 720.110 definition contemplates tanks which that contain hazardous wastes. The above definition is limited to this Part only.

"Container" means any portable device in which a material is stored, transported, treated, disposed of, or otherwise handled.

"Do-it-yourselfer used oil collection center" means any site or facility that accepts or aggregates and stores used oil collected only from household do-it-yourselfers.

"Existing tank" means a tank that is used for the storage or processing of used oil and that is in operation, or for which installation has commenced on or prior to the effective date of the authorized used oil program for the State in which the tank is located. Installation will be considered to have commenced if the owner or operator has obtained all federal, state, and local approvals or permits necessary to begin installation of the tank and if either:

A continuous on-site installation program has begun, or

The owner or operator has entered into contractual obligations-which that cannot be canceled or modified without substantial loss- for installation of the tank to be completed within a reasonable time.

BOARD NOTE: This definition is similar to the definition for "Existing tank system" in 35 Ill. Adm. Code 720.110. Although the meanings are similar, the definition given above for "existing tank" in this Part limits the tanks to those used to store or process used oil, whereas the 720.110 definition contemplates tanks systems which that contain hazardous wastes. The above definition is limited to this Part only.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

"Household 'do-it-yourselfer' used oil" means oil that is derived from households, such as used oil generated by individuals who generate used oil through the maintenance of their personal vehicles.

BOARD NOTE: Household 'do-it-yourselfer' used oil is not subject to the State's special waste hauling permit requirements under Part 809.

"Household 'do-it-yourselfer' used oil generator" means an individual who generates household "do-it-yourselfer" used oil.

"New tank" means a tank that will be used to store or process used oil and for which installation has commenced after the effective date of the authorized used oil program for the State in which the tank is located.

BOARD NOTE: This definition is similar to the definition given for "New tank system" given in 35 Ill. Adm. Code 720.110. Although the meanings are similar, the definition given above for "new tank" in this Part limits the tanks to those used to store or process used oil, whereas the 720.110 definition contemplates new tanks systems which contain hazardous wastes. The above definition is limited to this Part only.

"Petroleum refining facility" means an establishment primarily engaged in producing gasoline, kerosene, distillate fuel oils, residual fuel oils, and lubricants, through fractionation, straight distillation of crude oil, redistillation of unfinished petroleum derivatives, cracking, or other processes (i.e., facilities classified as SIC 2911).

"Processing" means chemical or physical operations designed to produce from used oil, or to make used oil more amenable for production of, fuel oils, lubricants, or other used oil-derived product. Processing includes, but is not limited to: blending used oil with virgin petroleum products, blending used oils to meet the fuel specification, filtration, simple distillation, chemical or physical separation, and re-refining.

"Re-refining distillation bottoms" means the heavy fraction produced by vacuum distillation of filtered and dehydrated used oil. The composition of still bottoms varies with column operation and feedstock.

"Tank" means any stationary device, designed to contain an accumulation of used oil which is constructed primarily of non-earthen materials, (e.g., wood, concrete, steel, plastic) which provides structural support.

"Used oil" means any oil that has been refined from crude oil, or any synthetic oil, that has been used and as a result of such use is contaminated by physical or chemical impurities.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

"Used oil aggregation point" means any site or facility that accepts, aggregates, or stores used oil collected only from other used oil generation sites owned or operated by the owner or operator of the aggregation point, from which used oil is transported to the aggregation point in shipments of no more than 55 gallons. Used oil aggregation points may also accept used oil from household do-it-yourselfers.

"Used oil burner" means a facility where used oil not meeting the specification requirements in Section 739.111 is burned for energy recovery in devices identified in Section 739.161(a).

"Used oil collection center" means any site or facility that is registered by the Agency to manage used oil and accepts or aggregates and stores used oil collected from used oil generators regulated under Subpart C of this Part that bring used oil to the collection center in shipments of no more than 55 gallons under the provisions of Section 739.124. Used oil collection centers may also accept used oil from household do-it-yourselfers.

"Used oil fuel marketer" means any person that conducts either of the following activities:

Directs a shipment of off-specification used oil from their facility to a used oil burner; or

First claims that used oil that is to be burned for energy recovery meets the used oil fuel specifications set forth in Section 739.111.

"Used oil generator" means any person, by site, whose act or process produces used oil or whose act first causes used oil to become subject to regulation.

"Used oil processor" means a facility that processes used oil.

"Used oil transfer facility" means any transportation-related facility including loading docks, parking areas, storage areas, and other areas where shipments of used oil are held for more than 24 hours ~~during the normal course of transportation~~ and not longer than 35 days during the normal course of transportation or prior to an activity performed pursuant to Section 739.120(b)(2). Transfer facilities that store used oil for more than 35 days are subject to regulation under Subpart F of this Part.

"Used oil transporter" means any person that transports used oil, any person that collects used oil from more than one generator and that transports the collected oil, and owners and operators of used oil transfer facilities. Used oil transporters may consolidate or

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

aggregate loads of used oil for purposes of transportation but, with the following exception, may not process used oil. Transporters may conduct incidental processing operations that occur in the normal course of used oil transportation (e.g., settling and water separation), but that are not designed to produce (or make more amenable for production of) used oil derived products or used oil fuel.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

SUBPART B: APPLICABILITY

Section 739.110 Applicability

This Section identifies those materials which are subject to regulation as used oil under this Part. This Section also identifies some materials that are not subject to regulation as used oil under this Part, and indicates whether these materials may be subject to regulation as hazardous waste under Parts 702, 703, 720 through 726, and 728.

- a) Used oil. U.S. EPA presumes that used oil is to be recycled unless a used oil handler disposes of used oil, or sends used oil for disposal. Except as provided in Section 739.111, the regulations of this Part apply to used oil, and to materials identified in this Section as being subject to regulation as used oil, whether or not the used oil or material exhibits any characteristics of hazardous waste identified in 35 Ill. Adm. Code 721.Subpart C.
- b) Mixtures of used oil and hazardous waste.
 - 1) Listed hazardous waste.
 - A) A mixture of used oil and hazardous waste that is listed in 35 Ill. Adm. Code 721.Subpart D is subject to regulation as hazardous waste under 35 Ill. Adm. Code 703, 720 through 726, and 728, rather than as used oil under this Part.
 - B) Rebuttable presumption for used oil. Used oil containing more than 1,000 ppm total halogens is presumed to be a hazardous waste because it has been mixed with halogenated hazardous waste listed in 35 Ill. Adm. Code 721.Subpart D. Persons may rebut this presumption by demonstrating that the used oil does not contain hazardous waste (for example, by using an analytical method from SW-846, Edition III, to show that the used oil does not contain significant concentrations of halogenated hazardous constituents listed in 35 Ill. Adm. Code 721.Appendix H). U.S. EPA Publication SW-846, Third Edition, is available for the cost of \$110.00 from the Government Printing Office, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954, (202) 783-3238 (document number 955-001-00000-1).

- i) The rebuttable presumption does not apply to metalworking oils or fluids containing chlorinated

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

paraffins, if they are processed, through a tolling arrangement as described in Section 739.124(c), to reclaim metalworking oils or fluids. The presumption does apply to metalworking oils or fluids if such oils or fluids are recycled in any other manner, or disposed.

- ii) The rebuttable presumption does not apply to used oils contaminated with chlorofluorocarbons (CFCs) removed from refrigeration units where the CFCs are destined for reclamation. The rebuttable presumption does apply to used oils contaminated with CFCs that have been mixed with used oil from sources other than refrigeration units.

- 2) Characteristic hazardous waste. A mixture of used oil and hazardous waste that exhibits a hazardous waste characteristic identified in 35 Ill. Adm. Code 721.Subpart C and a mixture of used oil and hazardous waste that is listed in Subpart D of this Part solely because it exhibits one or more of the characteristics of hazardous waste identified in 35 Ill. Adm. Code 721.Subpart C is subject to:
 - A) Except as provided in subsection (b)(2)(C) of this Section, regulation as hazardous waste under 35 Ill. Adm. Code 703, 720 through 726, and 728 rather than as used oil under this Part, if the resultant mixture exhibits any characteristics of hazardous waste identified in 35 Ill. Adm. Code 721.Subpart C; or
 - B) Except as provided in subsection (b)(2)(C) of this Section, regulation as used oil under this Part, if the resultant mixture does not exhibit any characteristics of hazardous waste identified under 35 Ill. Adm. Code 721.Subpart C; or
 - C) Regulation as used oil under this Part, if the mixture is of used oil and a waste which is hazardous solely because it exhibits the characteristic of ignitability and is not listed in 35 Ill. Adm. Code 721.Subpart B (e.g., ignitable-only mineral spirits), provided that the resultant mixture does not exhibit the characteristic of ignitability under 35 Ill. Adm. Code 721.121.

- 3) Conditionally exempt small quantity generator hazardous waste. A mixture of used oil and conditionally exempt small quantity generator hazardous waste regulated under 35 Ill. Adm. Code 721.105 is subject to regulation as used oil under this Part.

- c) Materials containing or otherwise contaminated with used oil.
 - 1) Except as provided in subsection (c)(2) of this Section, a material containing or otherwise contaminated with used oil from which the used oil has been properly drained or removed to the extent possible such that no visible signs of free-flowing oil remain in or on the material:
 - A) Is not used oil, and thus, it is not subject to this Part, and

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- B) If applicable, is subject to the hazardous waste regulations of 35 Ill. Adm. Code 703, 705, 720 through 726, and 728.
- 2) A material containing or otherwise contaminated with used oil that is burned for energy recovery is subject to regulation as used oil under this Part.

- 3) Used oil drained or removed from materials containing or otherwise contaminated with used oil is subject to regulation as used oil under this Part.

d) Mixtures of used oil with products.

- 1) Except as provided in subsection (d)(2) below, mixtures of used oil and fuels or other fuel products are subject to regulation as used oil under this Part.

- 2) Mixtures of used oil and diesel fuel mixed on-site by the generator of the used oil for use in the generator's own vehicles are not subject to this Part once the used oil and diesel fuel have been mixed. Prior to mixing, the used oil is subject to the requirements of Subpart C of this Part.

e) Materials derived from used oil.

- 1) Materials that are reclaimed from used oil that are used beneficially and are not burned for energy recovery or used in a manner constituting disposal (e.g., re-refined lubricants) are:

- A) Not used oil and thus are not subject to this Part, and
 B) Not solid wastes and are thus not subject to the hazardous waste regulations of Parts 35 Ill. Adm. Code 703, 720 through 726, and 728 as provided in 35 Ill. Adm. Code 721.103(c)(2)(A).

- 2) Materials produced from used oil that are burned for energy recovery (e.g., used oil fuels) are subject to regulation as used oil under this Part.

- 3) Except as provided in subsection (e)(4) below, materials derived from used oil that are disposed of or used in a manner constituting disposal are:

- A) Not used oil and thus are not subject to this Part, and
 B) Are solid wastes and thus are subject to the hazardous waste regulations of 35 Ill. Adm. Code 703, 720 through 726, and 728 if the materials are listed or identified as hazardous waste.

- 4) Used oil re-refining distillation bottoms that are used as feedstock to manufacture asphalt products are not subject to this Part.

- f) Wastewater. Wastewater, the discharge of which is subject to regulation under either Section 402 or Section 307(b) of the Clean Water Act (including wastewaters at facilities which have eliminated the discharge of wastewater), contaminated with de minimis quantities of used oil are not subject to the requirements of this Part. For purposes of this subsection, "de minimis" quantities of used oils are defined as small spills, leaks, or drippings from pumps, machinery, pipes, and other similar equipment during normal operations or small amounts of oil lost to the wastewater treatment system during washing

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

or draining operations. This exception will not apply if the used oil is discarded as a result of abnormal manufacturing operations resulting in substantial leaks, spills, or other releases, or to used oil recovered from wastewaters.

- g) Used oil introduced into crude oil or ~~natural-gas~~ pipelines or a petroleum refining facility.

- 1) Used oil ~~that is placed directly~~ mixed with crude oil or natural gas liquids (e.g., in a production separator or crude oil stock tank) for insertion into a crude oil or ~~natural-gas~~ pipeline is ~~subject to the management standards of this Part only prior to the point of introduction to the pipeline. Once the used oil is introduced to the pipeline, the material is exempt from the requirements of this Part.~~ The used oil is subject to the requirements of this Part prior to the mixing of used oil with crude oil or natural gas liquids.

- 2) Mixtures of used oil and crude oil or natural gas liquids containing less than 1% used oil that are being stored or transported to a crude oil pipeline or petroleum refining facility for insertion into the refining process at a point prior to crude distillation or catalytic cracking are exempt from the requirements of this Part.

- 3) Used oil that is inserted into the petroleum refining process before crude distillation or catalytic cracking without prior mixing with crude oil is exempt from the requirements of this Part, provided that the used oil contains less than 1% of the crude oil feed to any petroleum refining facility process unit at any given time. Prior to insertion into the petroleum refining process, the used oil is subject to the requirements of this Part.

- 4) Except as provided in subsection (g)(5) below, used oil that is introduced into a petroleum refining facility process after crude distillation or catalytic cracking is exempt from the requirements of this Part only if the used oil meets the specification of Section 739.111. Prior to insertion into the petroleum refining facility process, the used oil is subject to the requirements of this Part.

- 5) Used oil that is incidentally captured by a hydrocarbon recovery system or wastewater treatment system as part of routine process operations at a petroleum refining facility and inserted into the petroleum refining facility process is exempt from the requirements of this Part. This exemption does not extend to recovery system (e.g., by pouring collected used oil into the wastewater treatment system).

- 6) Tank bottoms from stock tanks containing exempt mixtures of used oil and crude oil or natural gas liquids are exempt from the requirements of this Part.

- h) Used oil on vessels. Used oil produced on vessels from normal shipboard operations is not subject to this Part until it is

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

transported ashore.

- i) Used oil containing PCBs. In addition to the requirements of this Part, a marketer or burner of used oil that markets used oil containing any qualifiable level of PCBs is subject to the requirements of 40 CFR 761.20(e).

(Source: Amended at 18 Ill. Reg. _____, effective _____)

SUBPART C: STANDARDS FOR USED OIL GENERATORS

Section 739.120 Applicability

- a) General. This subpart applies to all generators of used oil, except:
- 1) Household "do-it-yourselfer" used oil generators. Household "do-it-yourselfer" used oil generators are not subject to regulation under this Part.
 - 2) Vessels. Vessels at sea or at port are not subject to this Subpart. For purposes of this Subpart, used oil produced on vessels from normal shipboard operations is considered to be generated at the time it is transported ashore. The owner or operator of the vessel and the person(s) removing or accepting used oil from the vessel are co-generators of the used oil and are both responsible for managing the waste in compliance with this Subpart once the used oil is transported ashore. The co-generators may decide among them which party will fulfill the requirements of this Subpart.
 - 3) Diesel fuel. Mixtures of used oil and diesel fuel mixed by the generator of the used oil for use in the generator's own vehicles are not subject to this Part once the used oil and diesel fuel have been mixed. Prior to mixing, the used oil fuel is subject to the requirements of this Subpart.
 - 4) Farmers. Farmers who generate an average of 25 gallons per month or less of used oil from vehicles or machinery used on the farm in a calendar year are not subject to the requirements of this Part.
 - b) Other applicable provisions. Used A used oil generators who generator that conduct conducts any of the following activities are is subject to the requirements of other applicable provisions of this Part as indicated in subsections (b)(1) through (5) below:
 - 1) Generators who A generator that transport transports used oil, except under the self-transport provisions of Section 739.124(a) and (b), must shall also comply with 739.Subpart E.
 - 2) Generators who A generator that process processes or re-refine re-refines used oil.
 - A) Except as provided in subsection (b)(2)(B) below, a generator that processes or re-refines used oil shall must also comply with 739.Subpart F.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- B) A generator that performs the following activities is not a used oil processor, provided that the used oil is generated on-site and is not being sent off-site to a burner of on- or off-specification used oil fuel:

- i) Filtering, cleaning, or otherwise reconditioning used oil before returning it for reuse by the generator;
 - ii) Separating used oil from wastewater generated on-site to make the wastewater acceptable for discharge or reuse pursuant to Section 402 or 307(b) for the federal Clean Water Act (33 U.S.C. 1317 or 1342), 40 CFR 403 through 499, or 35 Ill. Adm. Code 310 or 309, governing the discharge of wastewaters;
 - iii) Using oil mist collectors to remove small droplets of used oil from in-plant air to make plant air suitable for continued recirculation;
 - iv) Draining or otherwise removing used oil from materials containing or otherwise contaminated with used oil in order to remove excessive oil to the extent possible pursuant to Section 739.110(c); or
 - v) Filtering, separating, or otherwise reconditioning used oil before burning it in a space heater pursuant to Section 739.123.
- 3) Generators who A generator that burn burns off-specification used oil for energy recovery, except under the on-site space heater provisions of Section 739.123, must shall also comply with 739.Subpart G.
- 4) Generators who direct A generator that directs shipments of off-specification used oil from their facility to a used oil burner or first claim that used oil that is to be burned for energy recovery meets the used oil fuel specifications set forth in Section 739.111 must shall also comply with 739.Subpart H.
- 5) Generators who dispose A generator that disposes of used oil, including the use of used oil as a dust suppressant, must shall also comply with 739.Subpart I.
- (Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 739.141 Restrictions on transporters that are not also processors

- a) Used oil transporters may consolidate or aggregate loads of used oil for purposes of transportation. However, except as provided in subsection (b) of this Section, used oil transporters may not process used oil unless they also comply with the requirements for processors in Subpart F of this Part.
- b) Transporters may conduct incidental processing operations that occur in the normal course of used oil transportation (e.g., settling and water separation), but that are not designed to produce (or make more amenable for production of) used oil derived products unless they also

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

comply with the processor requirements in Subpart F of this Part.

c) Transporters of used oil that is removed from oil-bearing electrical transformers and turbines and which is filtered by the transporter or at a transfer facility prior to being returned to its original use are not subject to the processor and re-refiner requirements in 739. Subpart F.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 739.144 Rebuttable presumption for used oil

a) To ensure that used oil is not a hazardous waste under the rebuttable presumption of Section 739.110(b)(1)(ii), the used oil transporter must shall determine whether the total halogen content of used oil being transporter or stored at a transfer facility is above or below 1,000 ppm.

b) The transporter must shall make this determination by:

- 1) Testing the used oil; or
- 2) Applying knowledge of the halogen content of the used oil in light of the materials or processes used.

c) If the used oil contains greater than or equal to 1,000 ppm total halogens, it is presumed to be a hazardous waste because it has been mixed with halogenated hazardous waste listed in 35 Ill. Adm. Code 721. Subpart D. The owner or operator may rebut the presumption by demonstrating that the used oil does not contain hazardous waste (for example, by using an analytical method from SW-846, Edition III, to show that the used oil does not contain significant concentrations of halogenated hazardous constituents listed in 35 Ill. Adm. Code 721. Appendix H). U.S. EPA Publication SW-846, Third Edition, is available ~~for the cost of \$110.00~~ from the Government Printing Office, Superintendent of Documents, PO Box 371954, Pittsburgh, PA 15250-7954. (202) 783-3238 (document number 955-001-00000-1).

- 1) The rebuttable presumption does not apply to metalworking oils and fluids containing chlorinated paraffins, if they are processed, through a tolling arrangement as described in Section 739.124(c), to reclaim metalworking oils and fluids. The presumption does apply to metalworking oils and fluids if such oils and fluids are recycled in any other manner, or disposed.
- 2) The rebuttable presumption does not apply to used oils contaminated with chlorofluorocarbons (CFCs) removed from refrigeration units if the CFC are destined for reclamation. The rebuttable presumption does apply to used oils contaminated with CFCs that have been mixed with used oil from sources other than refrigeration units.

d) Record retention. Records of analyses conducted or information used to comply with subsections (a), (b), and (c) of this Section must be maintained by the transporter for at least 3 years.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 739.146 Tracking

a) Acceptance. Used oil transporters shall keep a record of each used oil shipment accepted for transport. Records for each shipment must include:

- 1) The name and address of the generator, transporter, or processor that provided the used oil for transport;
- 2) The U.S. EPA identification number and Illinois special waste identification number (if applicable) of the generator, transporter, or processor that provided the used oil for transport;
- 3) The quantity of used oil accepted;
- 4) The date of acceptance; and
- 5) The signature.

A) Except as provided in subsection (a)(5)(B) below, the signature, dated upon receipt of the used oil, of a representative of the generator, transporter, or processor or re-refiner that provided the used oil for transport.

B) An intermediate rail transporter is not required to sign the record of acceptance.

b) Deliveries. Used oil transporters shall keep a record of each shipment of used oil that is delivered to another used oil transporter, or to a used oil burner, processor, or disposal facility. Records of each delivery must include:

- 1) The name and address of the receiving facility or transporter;
- 2) The U.S. EPA identification number and Illinois special waste identification number of the receiving facility or transporter;
- 3) The quantity of used oil delivered;
- 4) The date of delivery;
- 5) The signature.

A) Except as provided in subsection (b)(5)(B) below, the signature, dated upon receipt of the used oil, of a representative of the receiving facility or transporter.

B) An intermediate rail transporter is not required to sign the record of acceptance.

c) Exports of used oil. Used oil transporters shall maintain the records described in subsections (b)(1) through (b)(4) of this Section for each shipment of used oil exported to any foreign country.

d) Record retention. The records described in subsections (a), (b), and (c) of this Section must be maintained for at least three years.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 739.152 General facility standards

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

a) Preparedness and prevention. Owners and operators of used oil processors and re-refiners facilities shall comply with the following requirements:

1) Maintenance and operation of facility. Facilities must be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of used oil to air, soil, or surface water which could threaten human health or the environment.

2) Required equipment. All facilities must be equipped with the following, unless none of the hazards posed by used oil handled at the facility could require a particular kind of equipment specified in subsections (a)(2)(A) through (a)(2)(D) of this Section:

A) An internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel;

B) A device, such as a telephone (immediately available at the scene of operations) or a hand-held two-way radio, capable of summoning emergency assistance from local police departments, fire departments, or State or local emergency response teams;

C) Portable fire extinguishers, fire control equipment (including special extinguishing equipment, such as that using foam, inert gas, or dry chemicals), spill control equipment, and decontamination equipment; and

D) Water at adequate volume and pressure to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray systems.

3) Testing and maintenance of equipment. All facility communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment, where required, must be tested and maintained as necessary to assure its proper operation in time of emergency.

4) Access to communications or alarm system.

A) Whenever used oil is being poured, mixed, spread, or otherwise handled, all personnel involved in the operation must have immediate access to an internal alarm or emergency communication device, either directly or through visual or voice contact with another employee, unless such a device is not required in subsection (a)(2) of this Section.

B) If there is ever just one employee on the premises while the facility is operating, the employee must have immediate access to a device, such as a telephone (immediately available at the scene of operation) or a hand-held two-way radio, capable of summoning external emergency assistance, unless such a device is not required in subsection (a)(2) of this Section.

5) Required aisle space. The owner or operator shall maintain aisle space to allow the unobstructed movement of personnel, fire

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency, unless aisle space is not needed for any of these purposes.

6) Arrangements with local authorities.

A) The owner or operator shall attempt to make the following arrangements, as appropriate for the type of used oil handled at the facility and the potential need for the services of these organizations:

i) Arrangements to familiarize police, fire departments, and emergency response teams with the layout of the facility, properties of used oil handled at the facility and associated hazards, places where facility personnel would normally be working, entrances to roads inside the facility, and possible evacuation routes;

ii) Where more than one police and fire department might respond to an emergency, agreements designating primary emergency authority to a specific police and a specific fire department, and agreements with any others to provide support to the primary emergency authority;

iii) Agreements with State emergency response teams, emergency response contractors, and equipment suppliers; and

iv) Arrangements to familiarize local hospitals with the properties of used oil handled at the facility and the types of injuries or illnesses which could result from fires, explosions, or releases at the facility.

B) Where State or local authorities decline to enter into such arrangements, the owner or operator shall document the refusal in the operating record.

b) Contingency plan and emergency procedures. Owners and operators of used oil processors and re-refiners facilities shall comply with the following requirements:

1) Purpose and implementation of contingency plan.

A) Each owner or operator shall have a contingency plan for the facility. The contingency plan must be designed to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden or non-sudden release of used oil to air, soil, or surface water.

B) The provisions of the plan must be carried out immediately whenever there is a fire, explosion, or release of used oil which could threaten human health or the environment.

2) Content of contingency plan.

A) The contingency plan must describe the actions facility personnel must take to comply with subsections (b)(1) and (b)(6) of this Section in response to fires, explosions, or any unplanned sudden or non-sudden release of used oil to

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- air, soil, or surface water at the facility.
- B) If the owner or operator has already prepared a Spill Prevention, Control, and Countermeasures (SPCC) Plan in accordance with 40 CFR 112, or 40 CFR 112.300, or some other emergency or contingency plan, the owner or operator need only amend that plan to incorporate used oil management provisions that are sufficient to comply with the requirements of this Part.
- C) The plan must describe arrangements agreed to by local police departments, fire departments, hospitals, contractors, and State and local emergency response teams to coordinate emergency services, pursuant to subsection (a)(6) of this Section.
- D) The plan must list names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator (see subsection (b)(5) of this Section), and this list must be kept up to date. Where more than one person is listed, one must be named as primary emergency coordinator and others must be listed in the order in which they will assume responsibility as alternates.
- E) The plan must include a list of all emergency equipment at the facility (such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment), where this equipment is required. This list must be kept up to date. In addition, the plan must include the location and a physical description of each item on the list, and a brief outline of its capabilities.
- F) The plan must include an evacuation plan for facility personnel where there is a possibility that evacuation could be necessary. This plan must describe signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes (in cases where the primary routes could be blocked by releases of used oil or fires).
- 3) Copies of contingency plan. A copy of the contingency plan and all revisions to the plan must be:
- A) Maintained at the facility; and
 - B) Submitted to all local police departments, fire departments, hospitals, and State and local emergency response teams that may be called upon to provide emergency services.
- 4) Amendment of contingency plan. The contingency plan must be reviewed, and immediately amended, if necessary, whenever:
- A) Applicable regulations are revised;
 - B) The plan fails in an emergency;
 - C) The facility changes in its design, construction, operation, maintenance, or other circumstances in a way that materially increases the potential for fires, explosions, or releases of used oil, or changes the response necessary in an emergency;

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- D) The list of emergency coordinators changes; or
- E) The list of emergency equipment changes.
- 5) Emergency coordinator. At all times, there must be at least one employee either on the facility premises or on call (i.e., available to respond to an emergency by reaching the facility within a short period of time) with the responsibility for coordinating all emergency response measures. This emergency coordinator shall be thoroughly familiar with all aspects of the facility's contingency plan, all operations and activities at the facility, the location and characteristic of used oil handled, the location of all records within the facility, and facility layout. In addition, this person must have the authority to commit the resources needed to carry out the contingency plan.
- BOARD NOTE: U.S. EPA cited the following as guidance: The emergency coordinator's responsibilities are more fully spelled out in subsection (b)(6) below. Applicable responsibilities for the emergency coordinator vary, depending on factors such as type and variety of used oil handled by the facility, and type and complexity of the facility.
- 6) Emergency procedures.
- A) Whenever there is an imminent or actual emergency situation, the emergency coordinator (or the designee when the emergency coordinator is on call) shall immediately:
 - i) Activate internal facility alarms or communication systems, where applicable, to notify all facility personnel; and
 - ii) Notify appropriate State or local agencies with designated response roles if their help is needed.
 - B) Whenever there is a release, fire, or explosion, the emergency coordinator shall immediately identify the character, exact source, amount, and a real extent of any released materials. He or she may do this by observation or review of facility records of manifests and, if necessary, by chemical analysts.
 - C) Concurrently, the emergency coordinator shall assess possible hazards to human health or the environment that may result from the release, fire, or explosion. This assessment must consider both direct and indirect effects of the release, fire, or explosion (e.g., the effects of any toxic, irritating, or asphyxiating gases that are generated, or the effects of any hazardous surface water run-offs from water of chemical agents used to control fire and heat-induced explosions).
 - D) If the emergency coordinator determines that the facility has had a release, fire, or explosion which could threaten human health, or the environment, outside the facility, he or she shall report his findings as follows:
 - i) If his assessment indicated that evacuation of local areas may be advisable, he or she shall immediately

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

notify appropriate local authorities. He or she shall be available to help appropriate officials decide whether local areas should be evacuated; and

- ii) He shall immediately notify either the government official designated as the on-scene coordinator for the geographical area (in the applicable regional contingency plan under 40 CFR 454.300), or the National Response Center (using their 24-hour toll free number (800) 424-8802). The report must include: Name and telephone number of reporter; Name and address of facility; Time and type of incident (e.g., release, fire); Name and quantity of material(s) involved, to the extent known; The extent of injuries, if any; and the possible hazards to human health, or the environment, outside the facility.

E) During an emergency, the emergency coordinator shall take all reasonable measures necessary to ensure that fires, explosions, and releases do not occur, recur, or spread to other used oil or hazardous waste at the facility. These measures must include, where applicable, stopping processes and operation, collecting and containing released used oil, and removing or isolating containers.

F) If the facility stops operation in response to a fire, explosion, or release, the emergency coordinator shall monitor for leaks, pressure buildup, gas generation, or ruptures in valves, pipes, or other equipment, wherever this is appropriate.

G) Immediately after an emergency, the emergency coordinator shall provide for recycling, storing, or disposing of recovered used oil, contaminated soil or surface water, or any other material that results from a release, fire, or explosion at the facility.

H) The emergency coordinator shall ensure that, in the affected area(s) of the facility:

- i) No waste or used oil that may be incompatible with the released material is recycled, treated, stored, or disposed of until cleanup procedures are completed; and

ii) All emergency equipment listed in the contingency plan is cleaned and fit for its intended use before operations are resumed.

iii) The owner or operator shall notify the Agency, and all other appropriate State and local authorities that the facility is in compliance with subsections (b)(6)(H)(i) and (b)(6)(H)(ii) of this Section before operations are resumed in the affected area(s) of the facility.

I) The owner or operator shall note in the operating record the time, date, and details of any incident that requires

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

implementing the contingency plan. Within 15 days after the incident, he it shall submit a written report on the incident to the Regional Administrator. The report must include:

- i) The name, address, and telephone number of the owner or operator;
- ii) The name, address, and telephone number of the facility;
- iii) The date, time, and type of incident (e.g., fire, explosion);
- iv) The name and quantity of material(s) involved;
- v) The extent of injuries, if any;
- vi) An assessment of actual or potential hazards to human health or the environment, where this is applicable; and
- vii) The estimated quantity and disposition of recovered material that resulted from the incident.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 739.153 Rebuttable presumption for used oil

a) To ensure that used oil is not a hazardous waste under the rebuttable presumption of Section 739.110(b)(1)(ii), the owner or operator of a used oil processing facility must shall determine whether the total halogen content of used oil managed at the facility is above or below 1,000 ppm.

b) The owner or operator must shall make this determination by:

- 1) Testing the used oil; or
- 2) Applying knowledge of the halogen content of the used oil in light of the materials or processes used.

c) If the used oil contains greater than or equal to 1,000 ppm total halogens, it is presumed to be a hazardous waste because it has been mixed with halogenated hazardous waste listed in 35 Ill. Adm. Code 721.Subpart D. The owner or operator may rebut the presumption by demonstrating that the used oil does not contain hazardous waste (for example, by using an analytical method from SW-846, Edition III, to show that the used oil does not contain significant concentrations of halogenated hazardous constituents listed in 35 Ill. Adm. Code 721.Appendix H). U.S. EPA Publication SW-846, Third Edition, is available ~~for-the-cost-of-\$119.00~~ from the Government Printing Office, Superintendent of Documents, PO Box 371954, Pittsburgh, PA 15250-7954. (202) 783-3238 (document number 955-001-00000-1).

- 1) The rebuttable presumption does not apply to metalworking oils and fluids containing chlorinated paraffins, if they are processed, through a tolling arrangement as described in Section 739.124(c), to reclaim metalworking oils and fluids. The presumption does apply to metalworking oils and fluids if such

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- oils and fluids are recycled in any other manner, or disposed.
- 2) The rebuttable presumption does not apply to used oils contaminated with chlorofluorocarbons (CFCs) removed from refrigeration units if the CFC are destined for reclamation. The rebuttable presumption does apply to used oils contaminated with CFCs that have been mixed with used oil from sources other than refrigeration units.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

SUBPART G: STANDARDS FOR USED OIL BURNERS THAT BURN OFF-SPECIFICATION USED OIL FOR ENERGY RECOVERY

Section 739.163 Rebuttable presumption for used oil

- a) To ensure that used oil managed at a used oil burner facility is not hazardous waste under the rebuttable presumption of Section 739.110(b)(1)(ii), a used oil burner must shall determine whether the total halogen content of used oil managed at the facility is above or below 1,000 ppm.
- b) The used oil burner must shall determine if the used oil contains above or below 1,000 ppm total halogens by:
- 1) Testing the used oil;
 - 2) Applying knowledge of the halogen content of the used oil in light of the materials or processes used; or
 - 3) If the used oil has been received from a processor subject to regulation under Subpart F of this Part, using information provided by the processor.
- c) If the used oil contains greater than or equal to 1,000 ppm total halogens, it is presumed to be a hazardous waste because it has been mixed with halogenated hazardous waste listed in 35 Ill. Adm. Code 721.Subpart D. The owner or operator may rebut the presumption by demonstrating that the used oil does not contain hazardous waste (for example, by using an analytical method from SW-846, Edition III, to show that the used oil does not contain significant concentrations of halogenated hazardous constituents listed in 35 Ill. Adm. Code 721.Appendix H). U.S. EPA Publication SW-846, Third Edition, is available ~~for the cost of \$110.00~~ from the Government Printing Office, Superintendent of Documents, PO Box 371954, Pittsburgh, PA 15250-7954. 202-783-3238 (document number 955-001-00000-1).
- 1) The rebuttable presumption does not apply to metalworking oils or fluids containing chlorinated paraffins, if they are processed, through a tolling arrangement as described in Section 739.124(c), to reclaim metalworking oils or fluids. The presumption does apply to metalworking oils or fluids if such oils and fluids are recycled in any other manner, or disposed.
 - 2) The rebuttable presumption does not apply to used oils contaminated with chlorofluorocarbons (CFCs) removed from

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

refrigeration units where the CFCs are destined for reclamation. The rebuttable presumption does apply to used oils contaminated with CFCs that have been mixed with used oil from sources other than refrigeration units.

- d) Record retention. Records of analyses conducted or information used to comply with subsections (a), (b), and (c) above must be maintained by the burner for at least 3 years.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

SUBPART H: STANDARDS FOR USED OIL FUEL MARKETERS

Section 739.171 Prohibitions

A used oil fuel marketer may initiate a shipment of off-specification used oil only to a used oil burner that:

- a) Has ~~an~~ a U.S. EPA identification number and Illinois special waste identification number; and
- b) Burns the used oil in an industrial furnace or boiler identified in Section 739.161(a).

(Source: Amended at 18 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: UIC Permit Program

2) Code citation: 35 Ill. Adm. Code 704

3) Section numbers: Proposed action:

704.240 Amendment

4) Statutory authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1022.4 and 1027 [415 ILCS 5/22.4 and 27].

5) A complete description of the subjects and issues involved:

A more detailed description is contained in the Board's Proposed Opinion of August 11, 1994, in R94-17, which Opinion is available from the address below. Section 22.4(a) of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1022.4(a)) [415 ILCS 5/22.4(a)] provides that Section 5 of the Administrative Procedure Act (Ill. Rev. Stat. 1991 ch. 127, par. 1005-35 and 1005-40) [5 ILCS 100/5-35 and 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

This rulemaking updates Parts 704, 720, 721, 724, 725, 728, and 739 of the Illinois RCRA Subtitle C hazardous waste rules to correspond with amendments adopted by U.S. EPA which appeared in the Federal Register during the period January 1 through June 30, 1994. During this period, U.S. EPA amended its regulations as follows:

Federal Action

Summary

59 Fed. Reg. 458,
January 4, 1994

Determination not to regulate wastes from wood surface protection as listed hazardous wastes; update of SW-846 to include a new method; addition of four chemicals to listing of hazardous constituents

59 Fed. Reg. 8362,
February 18, 1994

Amendment of treatability study exclusion from definition of solid waste

59 Fed. Reg. 10550,
March 4, 1994

Clarification of used oil regulations to clarify that used oil mixed with crude oil or natural gas liquids are exempted from the used oil regulations; exemption of crude oil mixed with small amounts of used oil that is destined for insertion into a refining process; exclusions for certain activities

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

from regulation as used oil processing

59 Fed. Reg. 13891,
March 24, 1994

Amendment of handling codes for periodic T/S/D facility reports

59 Fed. Reg. 28484,
June 2, 1994

Corrections to the wood surface protection determination amendments

59 Fed. Reg. 29372,
June 7, 1994

Response to Supreme Court remand in City of Chicago v. Environmental Defense Fund, Inc., -- U.S. --, 114 S. Ct. 1588, 128 L. Ed. 2d 302 (1994): U.S. EPA granted an extension for facilities managing waste-to-energy facility ash to file a Part A permit application.

59 Fed. Reg. 29958,
June 10, 1994

Amendment of references to the prescribed form for a letter of credit Used for RCRA Subtitle C, underground injection, and underground storage tanks to indicate copyright

59 Fed. Reg. 31551,
June 20, 1994

Correction of hazardous waste listing (P015), hazardous constituent listing, and land disposal restrictions listing for beryllium to beryllium powder

The June 7, 1994 action constituted a U.S. EPA determination that a substantial confusion existed relating to the regulatory status of a waste, and it granted an extension of the time by which facilities managing the waste must file a Part A permit application. Although no Board action is required based on the June 7 federal action, we undertake an amendment to notify the regulated community of the change in law arising through the Supreme Court's decision and the U.S. EPA response.

Specifically, the segment of the amendments involved in Part 704 updates the incorporation of 40 CFR 144.70, as amended at 59 Fed. Reg. 29959 (June 10, 1994), which sets forth the required wording for instruments used to establish financial responsibility.

6) Will this proposed rule replace an emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Do these proposed amendments contain incorporations by reference?

Yes. The existing text of the hazardous waste regulations incorporate numerous documents by reference. 35 Ill. Adm. Code 720.111 is the central

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

listing of incorporations for all documents referred to throughout the text of the regulations. The present amendments update the incorporation of 40 CFR 144.70, as amended at 59 Fed. Reg. 29959 (June 10, 1994), which sets forth the required wording for instruments used to establish financial responsibility.

9) Are there any other amendments pending on this Part? No.

10) Statement of statewide policy objectives:

This rulemaking is mandated by Section 22.4(a) of the Environmental Protection Act. The statewide policy objectives are set forth in Section 20 of that Act. This rulemaking imposes mandates on units of local government only to the extent that they may be involved in the generation, transportation, treatment, storage, or disposal of hazardous waste.

11) Time, place and manner in which interested persons may comment on this proposed rulemaking:

The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R94-17 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

Address all questions to Michael J. McCambridge, at 312-814-6924.

12) Initial regulatory flexibility analysis:

A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: August 16, 1994.

B) Types of small businesses affected:

The existing rules and proposed amendments affect small businesses which generate, transport, treat, store, or dispose of hazardous waste. The present amendments will have little impact on those businesses. The expansion of the treatability study exemption constitutes a regulatory relaxation for certain facilities engaging in hazardous waste treatability studies. The update to SW-846 substitutes updated methods for physical and chemical analysis for some existing methods, which could have minor impact on businesses engaging in analysis of these wastes. The listing of additional hazardous constituents should have little impact because U.S. EPA

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

stated that no wood treatment presently uses these chemicals. The clarifications of the used oil regulations constitute a regulatory relaxation for certain petroleum refining facilities and petroleum and natural gas pipeline facilities that manage used oil. The revised reporting codes and the copyright designation on the financial responsibility will affect businesses that must report or use the prescribed letter of credit form, but the impact of those revisions will likely be minimal.

C) Reporting, bookkeeping or other procedures required for compliance:

The existing rules and proposed amendments require extensive reporting, bookkeeping, and other procedures, including the preparation of manifests and annual reports, waste analyses, and maintenance of operating records. The present amendments will have little impact on those businesses. The expansion of the treatability study exemption constitutes a regulatory relaxation for certain facilities engaging in hazardous waste treatability studies. The update to SW-846 substitutes updated methods for physical and chemical analysis for some existing methods, which could have minor impact on businesses engaging in analysis of these wastes. The listing of additional hazardous constituents should have little impact because U.S. EPA stated that no wood treatment presently uses these chemicals. The clarifications of the used oil regulations constitute a regulatory relaxation for certain petroleum refining facilities and petroleum and natural gas pipeline facilities that manage used oil. The revised reporting codes and the copyright designation on the financial responsibility will affect businesses that must report or use the prescribed letter of credit form, but the impact of those revisions will likely be minimal.

D) Types of professional skills necessary for compliance:

Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist, and registered professional engineer.

The full text of the proposed amendments begins on the next page:

POLLUTION CONTROL BOARD

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER b: PERMITS

SUBPART E: PERMIT CONDITIONS

PART 704

UIC PERMIT PROGRAM

SUBPART A: GENERAL PROVISIONS

Section
704.101
704.102
704.103
704.104
704.105
704.106
704.107

Content

Scope of the Permit or Rule Requirement
Identification of Aquifers
Exempted Aquifers
Specific Inclusions and Exclusions
Classification of Injection Wells
Definitions

Section
704.181
704.182
704.183
704.184
704.185
704.186
704.187
704.188
704.189
704.190
704.191
704.192
704.193

Additional Conditions

Establishing UIC Permit Conditions
Construction Requirements
Corrective Action
Operation Requirements
Hazardous Waste Requirements
Monitoring and Reporting
Plugging and Abandonment
Financial Responsibility
Mechanical Integrity
Additional Conditions
Waiver of Requirements by Agency
Corrective Action

SUBPART B: PROHIBITIONS

Section
704.121
704.122
704.123
704.124

Prohibition of Unauthorized Injection
Prohibition of Movement of Fluid into USDW
Identification of USDW and Exempted Aquifers
Prohibition of Class IV Wells

Section
704.201
704.202
704.203

Applicability
Authorization
Requirements

SUBPART C: AUTHORIZATION OF UNDERGROUND INJECTION BY RULE

Section
704.141
704.142
704.143
704.144
704.145
704.146
704.147
704.148
704.149
704.150
704.151

Existing Class I and III Wells
Existing Class IV Wells, not into USDW (Renumbered)
Expiration of Authorization
Requirements
Existing Class IV Wells
Class V Wells
Requiring a Permit
Inventory Requirements
Requiring other Information
Requirements for Class I and III Wells authorized by Rule
RCRA Interim Status for Class I Wells

Section
704.210
704.211
704.212
704.213
704.214
704.215
704.216
704.217
704.218
704.219
704.220
704.221
704.222
704.230
704.240

Applicability
Definitions
Cost Estimate for Plugging and Abandonment
Financial Assurance for Plugging and Abandonment
Trust Fund
Surety Bond Guaranteeing Payment
Surety Bond Guaranteeing Performance
Letter of Credit
Plugging and Abandonment Insurance
Financial Test and Corporate Guarantee
Multiple Financial Mechanisms
Financial Mechanism for Multiple Facilities
Release of the Owner or Operator
Incapacity
Wording of the Instruments

SUBPART D: APPLICATION FOR PERMIT

Section
704.161
704.162
704.163
704.164

Application for Permit; Authorization by Permit
Area Permits
Emergency Permits
Signatories to Permit Applications

SUBPART H: ISSUED PERMITS

Section
704.260

Transfer

SUBPART F: REQUIREMENTS FOR WELLS INJECTING
HAZARDOUS WASTESUBPART G: FINANCIAL RESPONSIBILITY FOR CLASS I
HAZARDOUS WASTE INJECTION WELLS

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

704.261 Modification
 704.262 Causes for Modification
 704.263 Well Siting
 704.264 Minor Modifications

AUTHORITY: Implementing Sections 13 and 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/13, 22.4 and 27].

SOURCE: Adopted in R81-32, at 47 PCB 95, at 6 Ill. Reg. 12479, effective as noted in 35 Ill. Adm. Code 700.106; amended in R82-19, at 7 Ill. Reg. 14402, effective as noted in 35 Ill. Adm. Code 700.106; amended in R83-39, at 55 PCB 319, at 7 Ill. Reg. 17338, effective December 19, 1983; amended in R85-23 at 10 Ill. Reg. 13290, effective July 29, 1986; amended in R87-29 at 12 Ill. Reg. 6687, effective March 28, 1988; amended in R88-2 at 12 Ill. Reg. 13700, effective August 16, 1988; amended in R88-17 at 13 Ill. Reg. 478, effective December 30, 1988; amended in R89-2 at 14 Ill. Reg. 3116, effective February 20, 1990; amended in R94-17 at 18 Ill. Reg. _____, effective _____.

Section 704.240 Wording of the Instruments

The Board incorporates by reference 40 CFR 144.70 (1995 1992), as amended at 59 Fed. Reg. 29959 (June 10, 1994). This incorporation includes no future amendments or editions. The Agency will promulgate standardized forms based on 40 CFR 144.70 with such changes in wording as are necessary under Illinois law. Any owner or operator required to establish financial assurance under this Subpart shall do so only upon the standardized forms promulgated by the Agency. The Agency may reject any financial assurance document which that is not submitted on such standardized forms.

†BOARD NOTE: See Derived from 40 CFR 144.70 (1992), as amended at 59 Fed. Reg. 29959 (June 10, 1994).†

(Source: Amended at 18 Ill. Reg. _____, effective _____.)

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Definitions
- 2) Code Citation: 11 Ill. Adm. Code 210
- 3) Section Numbers: 210.10 Proposed Action: Amendment
- 4) Statutory Authority: 230 ILCS 1992, 5/1 et seq.
- 5) A complete description of the subjects and issues involved: This amendment adds definitions which appear in other Parts of the Illinois Racing Board rulebook.
- 6) Will these proposed amendments replace emergency amendments currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Do these proposed amendments contain incorporation by reference? No.
- 9) Are there any other proposed amendments pending in this Part? No
- 10) Statement of Statewide Policy Objectives: No local governmental units will be required to increase expenditures.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: All comments should be submitted in writing, within 30 days of this notice, to: Illinois Racing Board, Legal Department, 100 West Randolph, Ste. 11-100, Chicago, Illinois 60601
- 12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: 8/18/94

B) Types of small business affected: None

C) Reporting, bookkeeping or other procedures required for compliance: None

D) Types of professional skills necessary for compliance: None

The full text of the proposed amendment begins on the next page:

ILLINOIS RACING BOARD

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY

SUBTITLE B: HORSE RACING

CHAPTER I: ILLINOIS RACING BOARD

SUBCHAPTER a: GENERAL RULES

PART 210

DEFINITIONS

Section

210.10 Definitions

AUTHORITY: Implementing and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

SOURCE: Adopted at 18 Ill. Reg. 2072, effective January 21, 1994; amended at 18 Ill. Reg. _____, effective _____.

Section 210.10 Definitions

"Act" - The Illinois Horse Racing Act of 1975.

"Added Money" - The money added by a racing association to the various fees paid by the owners of the horses nominated to, entered in and/or starting in a race.

"Added Money Early Closing Event" - A harness race closing in the same year in which it is to be contested in which all entrance and declaration fees received are added to the purse.

"Advanced Wagering" - Any wagering on a race or races to be conducted during a racing program before the next scheduled race.

"Age" - The age of a horse shall be reckoned from the first day of January of the year of foaling except: for foals born in November and December of any year, age shall be reckoned from January 1 of the succeeding year.

"Allowance" - Weights and other conditions of a race.

"Allowance Race" - A race, other than a claiming race, for which certain conditions of eligibility are established.

"Also Eligible" - A horse which has been entered in a race but is not permitted to start unless the number of entrants is reduced by scratches.

"Appeal" - A request for the Board to investigate, consider or review any decisions or rulings of the officials of a meeting or the decision of the Board itself.

"Applicant" - A person who applies for an organization or occupation license in a specified category or categories.

"Approximate odds" - The probable ratio of the pay-out price to a \$1 wager in the win pool in a pari-mutuel system.

"Arrears" - All monies owed by a licensee, including subscriptions, jockey fees, forfeitures, and any default incident to these rules.

"Association" - A person or business entity holding a license from the Board to conduct racing with pari-mutuel wagering.

"Association Grounds" - All areas used by a racing association in conducting a race meeting.

"Authorized Agent" - A person appointed by an owner or trainer in accordance with Board Rules, the appointment to be designated in a document signed by the owner or trainer, approved by the stewards, executed annually and filed with the Illinois Racing Board.

"Battery" - Any battery, buzzer, electrical, or mechanical device or other appliance, except for the ordinary whip, which can be used to stimulate or depress a horse or affect its speed in a race or workout.

"Beneficial Interest" - Profit, benefit or advantage resulting from a contract or an ownership interest in an estate as distinct from legal title or ownership, i.e., an interest as a devisee, legatee or donee solely for his own use or benefit and not as holder of title for use and benefit of another.

"Betting interest" - Horse, entry or field.

"Bleeder" - A horse that is examined by an official veterinarian following a race or workout and sheds blood from one or both nostrils or upon endoscopic examination shows observable amounts of free blood in the respiratory tract.

"Bleeder List" - A tabulation of all bleeders to be maintained by the Board.

"Board" - Illinois Racing Board.

"Bookmaker" - A person who accepts wagers on racers other than through a pari-mutuel machine.

"Breakage" - The odd cents by which the amount payable on each dollar wagered exceeds a multiple of 10¢.

"Breeder" - (Harness) The owner of a horse's dam at the time of

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

breeding; (Thoroughbred) The owner of the horse's dam at the time of foaling.

"Canceled Ticket" - A ticket which represents a wager which has been canceled and withdrawn from the pari-mutuel pools.

"Carryover" - The total amount of non-distributed pool money in a pool which is retained and added to a corresponding pool in accordance with these rules.

"Cash Ticket" - Any pari-mutuel ticket which is refunded or which is presented for payment of a winning wager and is paid.

"Cashier Accounting" - The record of teller activity by transaction and time of transaction.

"Central Processing Unit" - The main computer which controls and stores both programs and data.

"Civil Penalty" - A penalty imposed on a licensee for a violation of Board rules or the Act.

"Claim" - The act of an eligible owner requesting the stewards to order the sale of a horse in a claiming race to him/her for a predetermined amount; To request a weight allowance; To file a claim in a claiming race; To acquire a horse by claiming.

"Claimant" - A person or racing interest meeting one of the three criteria for claiming eligibility.

"Claim Form" - The form upon which an eligible owner agrees to purchase a horse from a claiming race.

"Claiming Price" - The predetermined price at which a horse in a claiming race must be sold if it is claimed.

"Claiming Race" - A race in which any horse starting may be purchased for a predetermined amount in conformance with the Rules and Regulations.

"Colt" - (Harness) An uncastrated horse under four years of age; (Thoroughbred) An uncastrated horse under five years of age.

"Computer Log Library" - A record of all operator initiated actions of the transaction processor.

"Concessionaire" - An individual, firm, partnership, corporation, trustee or legal representative licensed to operate as a concessionaire to sell or provide food, beverages, programs, tip

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

sheets or parking to the public at a race track in Illinois.

"Condition Book" - A booklet published by a thoroughbred racing association which sets out the conditions, purses and descriptions of future races. (Synonym: Condition Sheet)

"Conditioned Race" - An overnight event to which entry eligibility is governed by previously specified qualifications.

"Condition Sheet" - A listing, written by the Racing Secretary, with the conditions a horse must meet in order to enter a particular race.

"Conditions" - Qualifications that determine a horse's eligibility to be entered in a particular race.

"Confirmed Test" - A second analytical procedure used to identify the presence of a specific drug or metabolite in a urine specimen.

"Console" - The totalizer status monitor which displays current race pool status information.

"Contest" - A competitive racing event on which pari-mutuel wagering is conducted.

"Contestant" - An individual participant in a contest.

"Controlled Substance" - Any substance listed in 21 U.S.C. 812 (21 U.S.C. 812 does not include any later amendments or editions).

"Coupled Entry" - Two or more contestants in a contest that are treated as a single betting interest for pari-mutuel wagering purposes. (Also see "Entry")

"Dam" - The female parent.

"Day" - A 24 hour period beginning at 12:01 a.m. and ending at 12:00 midnight.

"Dead Heat" - A race in which two or more horses cross the finish line in a tie.

"Declaration" - (Harness) The process of entering a horse in a particular race. (Thoroughbred) The withdrawal of a horse entered for a race after the closing of entries. (Synonym: scratch)

"Decoder" - A device and/or means to convert encrypted audio-visual signals and/or data into a form recognizable as the original content of the signals.

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

"Disqualification" - The act of barring a person from acting as an official or from starting or driving a horse in a race. In the case of a horse, the act of barring it from starting or altering its finishing position for betting and purse purposes.

"Disqualify" - To place a horse in a lower position, in the official order of finish in a race, than it actually finished due to an infraction of the rules.

"Downlink" - A receiving antenna coupled with an audio-visual signal receiver compatible with and capable of receiving simultaneous audio-visual signals and/or data emanating from an organization licensee, and includes the electronic transfer of received signals from the receiving antenna to TV monitors within the inter-track wagering facility.

"Early Closing Race" - A harness race to which entries close at least six weeks preceding the race.

"Eligible to Race" - Refers to a horse whose trainer has been granted stall space on association grounds; or has been approved to stable elsewhere and to ship in to race at a specific race meeting.

"Encryption" - The scrambling or other manipulations of the audio-visual signals to mask the original video content of the signal and so cause such signals to be indecipherable and unrecognizable to any person receiving such signal without a decoder.

"Entry" - A horse that has been entered for a race; Two or more horses, owned by the same stable, or by husband and wife, or trained by the same trainer, that are coupled for the purpose of pari-mutuel betting as one betting interest.

"Equipment" - The items worn by or attached to a horse in a race.

"Exclusion" - The act of barring from all or part of association grounds or the grounds under the jurisdiction of the Illinois Racing Board. Unless specified in the ruling, an exclusion is unconditional and encompasses all of the association grounds.

"Exhibition Race" - A race on which no wagering is permitted.

"Expired Ticket" - An outstanding ticket that was not presented for redemption within the required time period for which it was issued.

"Extended Pari-Mutuel Meeting" - A meeting at which no agricultural fair is in progress, of more than 10 days annually, with pari-mutuel wagering.

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

"Field" - All the horses that compete in a race; A number of horses grouped together as an entry for the purpose of pari-mutuel betting.

"Filly" - (Thoroughbred) A female horse under five years of age. (Harness) A female horse under four years of age.

"Financial Interest" - An interest that could result in directly or indirectly receiving a pecuniary gain or sustaining a pecuniary loss as a result of ownership or interest in a horse or business entity; or as a result of salary, gratuity or other compensation or remuneration from any person. The lessee and lessor of a horse have financial interests.

"Finish Line" - A real or imaginary line, perpendicular to the race course, that marks the end of a race. (Synonyms: finish wire, wire)

"Flat Race" - A race in which horses mounted by jockeys run over a course on which no obstacles are placed.

"Foreign Substance" - All substances except those which exist naturally in the untreated horse of normal physiological concentrations or substances, or metabolites thereof which are contained in equine feeds or feed supplements but do not contain any pharmacodynamic and/or chemotherapeutic agents, or pharmaceutical aids.

"Foul" - An improper act committed by a jockey or a horse in the running of a race.

"Foul Claim" or "Claim of Foul" - An objection, alleging a foul, made to the stewards or their designee by a driver, jockey, owner or trainer of a horse involved in a race.

"Forfeit" - Money due from a licensee because of error, fault, neglect of duty, breach of contract or a penalty imposed by the stewards or the Board.

"Futurity" - (Harness) A stakes race in which the dam of the competing animal is nominated either when in foal or during the year of foaling. (Thoroughbred) A stakes race, for horses not older than three years of age, in which nominations are made before the horse becomes a three-year old.

"Gelding" - A castrated horse.

"Gender and Number" - Pronouns of one gender include the other; singular words include the plural and vice versa; unless the context clearly indicates otherwise.

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

"Gimmick Race" - A race on which a form of multiple wagering is conducted, such as Daily Double, Quinella, Exacta, Perfecta, Trifecta, etc.

"Guaranteed Stakes" - A stakes race with a guarantee by the party offering it that the sum paid shall not be less than the amount named (see Stakes Race).

"Guest Association" - An association that offers licensed pari-mutuel wagering on contests conducted by another association (the host) in either the same or another state.

"Handicap" - (Harness) A race in which starting positions are assigned on the basis of past performance so as to equalize the chance of all horses entered; (Thoroughbred) A race in which the weights carried by the entered horses are assigned by the Handicapper for the purpose of equalizing their respective chances of winning.

"Handicapper" - A person who assigns weights (thoroughbred) or post positions (harness) to horses nominated to a handicap race.

"Handle" - The aggregate dollar amount of all pari-mutuel pools, excluding refundable wagers.

"Heat" - One of two or more installments of a race.

"Horse" - An all encompassing term for any equine of any age, including colt, filly, gelding, ridgeling, mare or stallion; An uncastrated male horse five years of age or older.

"Host Association" - The association conducting a licensed pari-mutuel meeting from which authorized contests or entire programs are simulcast.

"Hypodermic Injection" - Any injection into or under the skin or mucosa, including but not limited to intradermal injection, subcutaneous injection, submucosal injection, intramuscular injection, intravenous injection, intra-arterial injection, intra-articular injection, intrabursal injection, intraocular (intraconjunctival) injection.

"Ineligible Horse" - A horse not qualified to participate in a specific race under the rules or conditions of that race.

"Ineligible Person" - A person not qualified to participate in specific racing activity under the rules.

"Illinois-Bred Colt or Filly" - A horse sired by a stallion owned by an Illinois resident and standing in the State of Illinois for the

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

season in which the mare was bred.

"Illinois Foaled" - A horse dropped in Illinois.

"Illinois Owned" - A horse owned by a resident of Illinois at the time the horse is declared in to start and at the time of the race.

"Illinois Racing Board" - Whenever the word "Board" is used, it means the "Illinois Racing Board".

"Initial Screening" - A sensitive screening which determines the presence of drugs and their corresponding families.

"Interference" - Any act, which by design or otherwise, and regardless of actual contact, hampers or obstructs any competing horse or horses.

"Intertrack Wagering Facility" - The physical premises, structure and equipment utilized by an intertrack wagering location or intertrack wagering location licensee for the conduct of intertrack wagering.

"Inquiry" - An investigation or examination, conducted by the Board or Stewards, into a possible rule violation.

"Issued Ticket" - A wager for which the ticket issuing machine produces a hard copy.

"Jockey" - A rider of a thoroughbred race horse.

"Laboratory" - The Illinois Racing Board Laboratory or an independent testing laboratory contracted by the Board.

"Late Closing Race" - A race for a fixed amount to which entries close less than six weeks and more than three days before the race is to be contested.

"Length of Race" - Races shall be run at the stated distance in units not shorter than a sixteenth of a mile.

"Lessee" - A licensed owner whose interest in a horse is by lease agreement.

"Licensee" - A person or legal entity that has been issued an occupation license to participate in racing under the jurisdiction of the Board. (Synonym: Occupation licensee)

"Maiden" - (Harness) A horse that has never won a heat or race, at the gait it is entered to start, for that a purse was offered; (Thoroughbred) A horse that has never earned a winner's purse in a flat race at a recognized meeting in any country.

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

"Maiden Race" - A contest restricted to nonwinners.

"Mare" - (Harness) A female horse four years of age or older; (Thoroughbred) A female horse five years of age or older.

"Watch Race" - A race between two horses under conditions agreed to by their owners.

"Matinee Race" - A race with no entrance fee and where the prizes, if any, are other than money.

"Meeting" - The specified period and inclusive dates each year during which an association is authorized to conduct racing by approval of the Board.

"Minor" - Any person under the age of seventeen.

"Minus Pool" - A minus pool occurs when the amount of money to be distributed on winning wagers is in excess of the amount of money comprising the net pool.

"Month" - A calendar month.

"Mutuel Field" - Two or more horses in a contest that are treated as a single betting interest for pari-mutuel wagering purposes when the total number of betting interests exceeds the number that can be handled individually by the pari-mutuel system.

"Mutuel Manager" - The racing official designated by the organization licensee to supervise its pari-mutuel department.

"Net Pool" - The amount of gross ticket sales less refundable wagers and statutory commissions.

"Nominator" - The person or entity in whose name a horse is nominated for a race or series of races.

"Nominee" - A horse nominated to a stakes and/or handicap race.

"Nomination" - The naming of a horse to a stakes and/or handicap race. In a futurity, the naming of a foal in utero to a certain race or series of races, eligibility to which is conditioned on the payment of a fee at the time of naming and the payment of subsequent sustaining fees and/or starting fees.

"Objection" - A claim of foul lodged with the stewards or their designee by a jockey of a horse in a race immediately after a race and before the race is made official, or a claim of foul lodged with the patrol judge in a starting car, by a driver of a horse in a race,

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

immediately after the race and before the driver dismounts.

"Odds Board" - A large sign-board structure, located in the infield of a race track, upon which the approximate odds are prominently displayed. (Synonym: Tote Board)

"Off Bell" - The bell, operated by the stewards, that signals the locking of ticket-issuing machines; The bell that rings as a race starts.

"Official Order of Finish" - The order of finish of the horses in a contest as declared official by the stewards.

"Official Starter" - The official responsible for dispatching horses to begin a race.

"Official Time" - The elapsed time from the moment the first horse crosses the starting point until the first horse crosses the finish line.

"Official Veterinarian" - A veterinarian employed by the Board or employed by an organization licensee and approved by the Board.

"Off Time" - The moment at which, on the signal of the official starter, the doors of the starting gate are opened, officially dispatching the horses in each contest.

"Off-Track Stabling" - Any farm, any Illinois race track not licensed by the Board in the current calendar year, or any other location designated and approved for the purpose of stabling horses to be raced at a race track under the jurisdiction of the Board.

"Organization Licensee" - Any person or entity receiving an organization license from the Board to conduct a race meeting or meetings.

"Outstanding Ticket" - An uncashed winning or refundable pari-mutuel ticket that was not redeemed during the performance for which it was issued and that must be cashed within the statutory time limit.

"Overnight Event" - A contest for which entries close at a time set by the racing secretary. (Synonym: Overnight Race, Overnight)

"Owner" - A person or stable that has property rights in a horse or horses, by ownership or lease of a horse or horses.

"Paddock" - The building or enclosure where horses are saddled for a race. A railed enclosure in which the horses are paraded for public view immediately before the post parade.

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

"Pari-Mutuel Auditor" - An employee of the Board's Pari-Mutuel Audit Unit.

"Pari-Mutuel Audit Unit" - The State Director of Mutuels and the Pari-Mutuel Auditors.

"Pari-Mutuel System" - The manual, electro-mechanical, or computerized system and all software (including the totalizer, account betting system and off-site betting equipment) that is used to record wagers and transmit wagering data.

"Patron" - A member of the public present on the grounds of a pari-mutuel association during a meeting for the purpose of wagering or to observe racing.

"Payoff" - The amount of money payable on winning wagers.

"Person" - Any individual, partnership, corporation or other association or entity.

"Pharmaceutical Aids" - Polyethylene glycol, polyoxyethylene glycol, polyalkylene glycol, polyoxyalkylene glycol, polysorbates, sorbitans and their analogues and derivatives.

"Pool" - Total amount of money wagered upon all horses in a race to finish in a specific position or positions.

"Post" - The place on a race course from which the horses start in a race.

"Post Position" - The pre-assigned positions from which the horses leave the starting gate.

"Post Time" - The scheduled starting time of a contest.

"Prescription Drugs" - Any chemical substance which is prohibited from being dispensed by any Federal or Illinois law without a valid prescription.

"Prima Facie Evidence" - Evidence that, until its effect is overcome by other evidence, will suffice as proof of fact in issue.

"Profit" - The net pool after deduction of the amount wagered on the winners.

"Profit Split" - A division of profit among separate winning betting interests or winning betting combinations resulting in two or more payoff prices.

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

"Program" - The published listing of all contests and contestants for a specific day's racing. The races of a particular day, considered together.

"Protest" - An objection lodged with the stewards of any infringement of the rules of racing.

"Purse" - The amount of money won by the owner of any competitor in a race.

"Purse Race" - A race for money to which the owners of the competing horses do not contribute.

"Qualifying Race" - A race for the purpose of viewing horses for speed, racing manners and competitiveness in which no purse money is offered and on which no pari-mutuel wagering is conducted.

"Quarter Horse" - A horse registered with the American Quarter Horse Association of Amarillo, Texas.

"Race" - A contest between horses at a licensed meeting for purse, stakes, prize or reward.

"Race Course" - The actual racing surface.

"Race on the Flat" - (see Flat Race)

"Race Track Enclosure" - Association grounds, owned, leased or controlled by the racing association, whether or not enclosed by a fence and including, but not limited to, track parking lots.

"Race Track Operator" - Any person, association or corporation licensed by the Illinois Racing Board to conduct horse racing within Illinois for any stake, purse or reward.

"Race Meeting" - The period of time, whether for consecutive or nonconsecutive dates, for which an organization license has been issued.

"Racing Association" - Any person, partnership, corporation, or other entity licensed by the Board to conduct a race meeting. (Synonym: organization licensee or race track operator)

"Racing Day" - Any period beginning at noon included in the period of a race meeting that ends at midnight, unless otherwise provided by statute.

"Racing Interest" - Any individual owner, partnership of owners, or corporation that participates as an owning entity or nominator of a

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

race horse.

"Racing Jurisdiction" - A governmental regulatory body that, by statute or ordinance, regulates pari-mutuel racing.

"Racing Soundness Exam" - The physical examination for racing soundness and health of each horse by an official veterinarian.

"Recognized Meeting" - Any race meeting with regularly scheduled races licensed by and conducted under rules promulgated by a governmental regulatory body, including meetings in foreign countries.

"Record" - The fastest time made by a horse in a race that he won or in a performance against time.

"Refunded Ticket" - A ticket which has been refunded for the value of a wager that is no longer valid (e.g., when a horse has been scratched or the wagering canceled).

"Restricted Area" - An area on the grounds of a racetrack where admission can be obtained only upon presentation of valid credentials. Such areas shall include the stable areas, detention barn, jockey or driver room, paddock, race course and pari-mutuel department.

"Result" - That part of the official order of finish used to determine the pari-mutuel payoff pools for each individual contest.

"Rules" - Regulations promulgated by the Board pursuant to the Horse Racing Act.

"Ruling" - A written decision, determination, and/or order of the stewards.

"Satellite Transponder" - A leased space segment time of an earth-orbit communication satellite.

"Scoring" - Preliminary warm-ups by horses.

"Scratch" - The withdrawal of a horse from a race after the closing of entries.

"Scratch Time" - The time designated by the racing association as a deadline for an owner or trainer to file a request for a scratch.

"Simulcast" - The live audio and visual transmission of a contest to another location for pari-mutuel wagering purposes.

"Single Price Pool" - An equal distribution of profit to winning betting interests or winning betting combinations through a single

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

payoff price.

"Stable Name" - The assumed name or nom de course under which a person or stable races horses.

"Stakes" - All the fees paid by subscribers to a stakes race, which may include the nomination, eligibility, supplemental, entry or starting fees or any fee that is required by the conditions of a race.

"Stakes Race" - A race that is closed to nominees more than 72 hours before it is run with a purse that includes all stakes payments in addition to the money added by the racing association.

"Starter" - The racing official whose duty it is to get the horses away to a fair start in a race. Any horse that participates, i.e., starts, in a race.

"Starter Race" - An overnight event, under allowance or handicap conditions, restricted to horses who have previously started for the designated claiming price or less, as stated in the conditions of the race.

"State Director of Mutuels" - The individual representing the Board in the supervision and verification of the pari-mutuel wagering pool totals for each racing day.

"Steeplechase Race" - A contest in which horses mounted by jockeys run over a course on which jumps or other obstacles are placed.

"Steward" - Duly appointed top official at a race track with the power to fine, suspend, and rule off persons licensed in racing.

"Stewards' Stand" - The room, generally located on the roof of a racetrack grandstand or clubhouse, from which the state stewards and association stewards observe the running of races.

"Subscription" - The nomination or entry of a horse in a stakes race.

"Sulky" - A dual-shaft, dual wheel racing vehicle.

"Suspension" - A penalty in which the rights and privileges of a licensee are withdrawn for a specified period of time. An occupation license whose license is suspended is prohibited from engaging in any licensed occupation and is excluded from all grounds under the jurisdiction of the Board, unless otherwise specified in the ruling or order (example: suspended from riding or driving).

"Sweepstakes" - A race where the owners of horses entered or engaged for the race contribute to a purse to which money or any other prize

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

may be added, and nominations to which close 72 hours or more before starting.

"Takeout" - The total amount of money, excluding breakage, withheld from each pari-mutuel pool, as authorized by statute or rule.

"Test Sample" - Any substance, including but not limited to, blood or urine taken from a horse or licensee for the purpose of testing for foreign or controlled substances.

"Test Level" - The concentration of a foreign substance found in a test sample.

"Threshold Level" - The concentration of a foreign substance found in a test sample.

"Ticket Issuing Machine" - A machine which prints hard copies of wagers.

"Totalizator" - An electronic device that automatically registers the wagers made on each horse or pool and prints or issues a ticket representing each such wager or wagers.

"Totalizator System Licensee" - Any person, corporation, company, association or any other entity which sells, leases, or operates totalizator equipment and is licensed by the Board.

"Tote Room" - The room at a race track in which the totalizator system's computer is housed.

"Tout" - Someone who furnishes information concerning selection of a horse for wagering purposes, or predicts the outcome of a race for wagering purposes, in exchange for a consideration.

"Trial Race" - Part of a series of contests in which horses participate for the purpose of determining eligibility for a subsequent contest.

"Uplink" - An earth station broadcasting facility, whether mobile or fixed, which is used to transmit audio-visual signals and/or data on FCC-controlled frequencies, and includes any electronic transfer of audio-visual signals from within a racing enclosure to the location of the transmitter at the uplink.

"Utilities" - Programs that are provided by computer vendors to perform tasks such as duplication of program tapes, modification of master files, and access to passwords.

"Validation" - The act or process by which the Board's licensing

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

office at a race meeting stamps or otherwise marks the licensee's identification card, thereby allowing the licensee access to restricted areas during a specific race meeting.

"Vendor" - A seller of feed, medication, stable supplies, or other merchandise in restricted areas.

"Veterinarian" - A veterinary practitioner licensed as such by the Illinois Department of Professional Regulation.

"Walkover" - An event in which all horses but one in a race are withdrawn, leaving that horse to walk the prescribed course at the distance of the race. A walkover may be between two or more horses if they belong to a single interest.

"Week" - A calendar week.

"Weigh-In" - The presentation of a jockey to the Clerk of Scales for weighing after a race.

"Weight-Out" - The presentation of a jockey to the Clerk of Scales for weighing prior to a race.

"Weight for Age" - A race in which a fixed scale is used to assign the weight to be carried by individual horses according to age, sex, distance of the race, and season of the year.

"Winner" - The horse whose nose reaches the finish line first. If there is a dead heat for first, those horses shall be considered winners.

"Wire" - See Finish line.

"Year" - A calendar year.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Pari-Mutuels
- 2) Code Citation: 11 Ill. Adm. Code 405
- 3) Section Numbers: 405.120 Proposed Action: Amendment
- 4) Statutory Authority: 230 ILCS 1992, 5/1 et seq.
- 5) A complete description of the subjects and issues involved: This amendment requires all organization, intertrack and intertrack location licensees to offer the same minimum wager prices at manned and unmanned terminals and the same wagering pools as the host organization providing the simulcast.
- 6) Will these proposed amendments replace emergency amendments currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Do these proposed amendments contain incorporation by reference? No.
- 9) Are there any other proposed amendments pending in this Part? No
- 10) Statement of Statewide Policy Objectives: No local governmental units will be required to increase expenditures.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: All comments should be submitted in writing, within 30 days of this notice, to: IRA, Legal Dept., 100 W. Randolph, Ste. 11-100, Chicago, Illinois 60601
- 12) Initial Regulatory Flexibility Analysis:
- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: 8/18/94
- B) Types of small business affected: None
- C) Reporting, bookkeeping or other procedures required for compliance: None
- D) Types of professional skills necessary for compliance: None

The full text of the proposed amendment begins on the next page:

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

- TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY
SUBTITLE B: HORSE RACING
CHAPTER I: ILLINOIS RACING BOARD
SUBCHAPTER b: RULES APPLICABLE TO ORGANIZATION LICENSEES

PART 405
PARI-MUTUELS

Section	
405.10	State Director of Mutuels
405.20	Duties of the State Director of Mutuels
405.30	Mutuel Department Operations
405.40	Mutuel Employees
405.50	Totalizator (Repealed)
405.55	No Wagering After Start
405.60	Odds Board Control (Repealed)
405.70	Odds Board Update (Repealed)
405.80	Records of All Calculations
405.90	Number of Pari-Mutuel Races
405.100	Ticket Windows
405.110	Sale of Pari-Mutuel Tickets
405.120	Minimum Wager Prices
405.130	Minimum Pay-Off - Minus Pools - Surcharges
405.140	Payments
405.150	Report Scratches
405.160	Number of Pools
405.170	Multiple of Wagering Pools (Repealed)
405.180	Failure of Starting Gate
405.190	Horses Scratched
405.200	"Official" Sign Final
405.210	Minors Barred
405.220	Lost Tickets
405.230	Mutilated or Altered Tickets
405.240	Information Window
405.250	System Failure

AUTHORITY: Implementing and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

SOURCE: Adopted at 4 Ill. Reg. 38, effective September 8, 1980; codified at 5 Ill. Reg. 10886; emergency amendment at 8 Ill. Reg. 22142, effective October 31, 1984, for a maximum of 150 days, amended at 11 Ill. Reg. 12375, effective July 18, 1987; amended at 12 Ill. Reg. 206, effective December 23, 1987; amended at 14 Ill. Reg. 11310, effective July 3, 1990; amended at 14 Ill. Reg. 17646, effective October 16, 1990; amended at 15 Ill. Reg. 591, effective January 3, 1991; amended at 15 Ill. Reg. 2733, effective February 5, 1991; amended at 15 Ill. Reg. 13933, effective September 5, 1991; amended at 16 Ill. Reg. 8232, effective May 19, 1992; amended at 18 Ill. Reg. 11999, effective July 14, 1994; amended at 18 Ill. Reg. _____, effective _____.

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

Section 405.120 Minimum Wager Prices

- a) The minimum pari-mutuel wager for win, place or show shall be \$2 unless otherwise approved by the Board. The minimum pari-mutuel wager for all other pools shall not exceed \$3, nor be less than \$1, unless otherwise approved by the Board.
- b) All inter-track wagering facilities shall establish and maintain minimum pari-mutuel wager prices that are the same as those offered by the organization licensee providing the simulcast.
- c) All organization, intertrack and intertrack location licensees shall offer the same types of pari-mutuel wagers and minimum pari-mutuel prices at both manned and unmanned wagering terminals.
- d) All intertrack wagering facilities shall offer the same pari-mutuel pools as offered by the organization providing the simulcast.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Programs
- 2) Code Citation: 11 Ill. Adm. Code 415
- 3) Section Numbers: Proposed Action:
 415.10 Amendment
 415.20 Repealed
 415.30 Amendment
 415.40 Amendment
 415.50 Amendment
- 4) Statutory Authority: 230 ILCS 1992, 5/1 et seq.
- 5) A complete description of the subjects and issues involved: This rulemaking removes unnecessary language from this Part.
- 6) Will these proposed amendments replace emergency amendments currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Do these proposed amendments contain incorporation by reference? No.
- 9) Any other proposed amendments pending in this Part? No
- 10) Statement of Statewide Policy Objectives: No local governmental units will be required to increase expenditures.
- 11) Time, place and Manner in which interested persons may comment on this proposed rulemaking: All comments should be submitted in writing, within 30 days of this notice, to: Illinois Racing Board, Legal Department, 100 West Randolph, Ste. 11-100, Chicago, Illinois 60601
- 12) Initial Regulatory Flexibility Analysis:
- A) Rule submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: 8/18/94
- B) Types of small business affected: None
- C) Reporting, bookkeeping or other procedures required for compliance: None
- D) Types of professional skills necessary for compliance: None

The full text of the proposed amendment begins on the next page:

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

- h) A clear, conspicuous statement of the racing organization's election to ~~An organization's election to impose a surcharge under Section 26.3 of the Horse Racing Act of 1975. shall be stated conspicuously in the official program.~~
- i) A brief description of the pari-mutuel wagering system.
- j) A statement that wagers are to be made by program number and not by post position or handicap rating number.
- k) A statement that pay-offs are not permitted until the stewards have notified the pari-mutuel department of the official order of finish.
- l) A statement that tickets should be retained until the official results have been posted.
- m) A statement that the Illinois Racing Board rules are available for public inspection at the information and/or complaint window and at the office of the Illinois Racing Board.
- (Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 415.20 Supply Information for Patrons (Repealed)

- a) Each organization license is encouraged to print sufficient information in its program to advise the public and especially new race track patrons about the pari-mutuel wagering system.
- b) Although not required to quote the following directly, each organization shall include the following information in its program:
- 1) That wagers are to be made by program number and not by post position or handicap rating number.
 - 2) That pay-offs are not permitted until the stewards have notified the pari-mutuel department of the official order of finish.
 - 3) That tickets should be retained until the official results have been posted.
 - 4) That the Illinois Racing Board has adopted detailed rules for unusual occurrences such as dead heats or the failure of patrons to select the winning horse or combination. These rules are available for public inspection at the information and/or complaint window and at the office of the Illinois Racing Board.
- (Source: Repealed at 18 Ill. Reg. _____, effective _____)

Section 415.30 Thoroughbred Programs

- a) At all thoroughbred meetings, the program shall contain at least the following information for each horse: name, sex, color, and age or year foaled; sire and dam; owner's name and colors; trainer's name; post position and program number; jockey's name and the weight to be carried. For each race, the purse and the conditions of the race, including the distance, shall be specified.
- b) The program shall also state if there has been any change

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY
SUBTITLE B: HORSE RACING
CHAPTER I: ILLINOIS RACING BOARD
SUBCHAPTER b: RULES APPLICABLE TO ORGANIZATION LICENSEES

PART 415
PROGRAMS

- Section 415.10 Required Information
- 415.20 Supply Information for Patrons (Repealed)
- 415.30 Thoroughbred Programs
- 415.40 Harness Programs
- 415.50 Quarterhorse Programs
- 415.60 Availability of Programs

AUTHORITY: Implementing and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

SOURCE: Adopted at 4 Ill. Reg. 43, effective October 20, 1980; codified at 5 Ill. Reg. 10900; emergency amendment at 7 Ill. Reg. 16201, effective November 28, 1983, for a maximum of 150 days; amended at 8 Ill. Reg. 5698, effective April 16, 1984; amended at 14 Ill. Reg. 11314, effective July 3, 1990; amended at 16 Ill. Reg. 7486, effective April 24, 1992; amended at 18 Ill. Reg. _____, effective _____.

Section 415.10 Required Information

- Programs shall contain the following information:
- a) A recitation statement that the race meeting is conducted pursuant to a license issued by the Board and pursuant to the rules and regulations of the Board.
 - b) The address and telephone number of the central office of the Board.
 - c) The names of the Board members, the officers and directors of the organization licensee, and Board and track racing officials.
 - d) The advertised post time of the first pari-mutuel race of the each program.
 - e) The information specified in Rule-B10-6-(11-III-Adm-Code Section 410.60)-4 regarding the Special Purse and Reward Fund.
 - f) A notice to patrons indicating which symbol identifying the horses that have been administered furosemide prior to the each race and a symbol which denotes, where applicable, a different symbol identifying horses that have been administered furosemide prior to the each race for the first time.
 - g) A prominent notice that there is an information and/or complaint window or windows where complaints may be made by members of the public. Such notice shall specify the exact location of such window or windows. A notice specifying the exact location of information and/or complaint window or windows for the convenience of the patrons.

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

with respect to blinker equipment from that carried in the horse's previous race, or if any horse races without whip ~~or with spurs~~.

- c) In the event an organization licensee elects to provide past performance or chart lines in its program, and if any horse entered to race has competed in an "optional claiming race", that chart line shall appear in the published past performance.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 415.40 Harness Programs

- a) At all harness meetings, the program shall contain at least the following information for each horse: name, sex, color and age; sire and dam; owner's name and trainer's name; driver's name and colors; ~~and type of race~~. For each race, the purse and the conditions of the race, including the distance, shall be specified.

- b) The following additional information will be furnished:

- 1) Six performance lines of the current year if the horse has started six times at that gait.
- 2) Indicate Identification of drivers racing with a provisional license.
- 3) Indicate Identification of pacers ~~that are~~ racing without hoppers.
- 4) A summary Summary of starts in purse races, earnings, and best win time for the current and preceding year; ~~A horse's best win time may be earned in either a purse or non-purse race; however, it may not be earned in a time trial whether earned in a purse or non-purse race but not in a time trial.~~

- 5) Accurate performance or chart lines, including qualifying races, shall show: date of race; race track; size of the track if other than a half-mile; symbol for free-legged pacer; track condition; type of race; distance; the fractional times of the leading horse including race finish time; post position; position at one-quarter; one-half; three-quarters; stretch with lengths behind leader; finish with lengths behind leader; individual time of the horse; closing odds; name of the driver; names of the horses placed first, second and third; and, where appropriate, workouts ordered by the stewards or judges. The standard symbols for "breaks" and horses "parked out" shall be used where applicable.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 415.50 Quarterhorse Programs

- a) At all quarterhorse meetings the program shall contain at least the following information for each horse: name, sex, color, and age or

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

year foaled; sire and dam; owner's name and trainer's name; post position and program number; jockey's name and, the weight to be carried; the purse and the conditions of each race, including the distance.

- b) ~~For each race, the purse and the conditions of the race, including the distance, shall be specified.~~

c) The following additional information will be furnished:

- 1) The five ~~five~~ most recent performance lines including: date of race; race track; number of race; distance of race; winning time; track condition; closing odds; weight carried; order of finish; jockey; type of race; speed rating; horse's time; names of the horses placed first, second and third; number of horses in race.
- 2) Summary of starts in purse races and earnings in present and previous year.
- 3) The program shall ~~also state if there has been~~ describe any change with respect to blinker equipment from that carried in the horse's previous race.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED RULES

1) Heading of the Part: School Bus Brake Inspections

2) Code Citation: 92 Ill. Adm. Code 447

3) Section Numbers: Proposed Action:

447.1000	New Section
447.1010	New Section
447.1020	New Section
447.1030	New Section
447.1030	New Section
447.1030	New Section

447.1030 New Section

4) Statutory Authority: Implementing and authorized by Section 12-812 of the Illinois Vehicle Equipment Law [625 ILCS 5/12-812].

5) A Complete Description of the Subjects and Issues Involved:

By this Notice of Proposed Rules, the Department is proposing to establish standards for the Department's school bus brake inspection program. The Department requires brakes on school buses to be inspected once a year or every 10,000 miles, whichever occurs first.

6) Will these proposed rules replace any emergency rule currently in effect? No.

7) Do these rulemakings contain an automatic repeal date? No.

8) Do these proposed rules contain incorporation by reference? No.

9) Are there any other proposed rule pending on this part? No.

10) Statement of Statewide Policy Objectives: This rulemaking affects units of local government that own or operate school buses.

11) Time, Place and Manner in which interested persons may comment on these proposed rulemakings: Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

By U.S. Mail:

Ms. Catherine Allen
Regulations Unit and Training Unit
Illinois Department of Transportation
Division of Traffic Safety
P.O. Box 19212
Springfield, Illinois 62794-9212
(217) 785-1181

By Messenger or Inter-Agency Mail:

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED RULES

DOT Annex Building
3215 Executive Park Drive
Planning and Program Support Section, 3rd Floor
Springfield

JCAR comments, questions and concerns should be addressed to:

Christine Caronna-Beard, Rules Manager
Illinois Department of Transportation, Room 300
Springfield, Illinois 62764
(217) 782-3215

Comments received within forty-five days of the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

A) Types of small business affected: This Part affects small businesses that own and operate school buses.

B) Reporting, bookkeeping or other procedures required for compliance: A school bus brake inspection report must be completed at the time of the brake inspection. Maintenance records must be maintained where the bus is housed or maintained.

C) Types of professional skills necessary for compliance: A qualified mechanic must perform the brake inspection. The Department has not set qualification standards but is requiring the school administrator or contractor to determine that the mechanic performing the brake inspection is qualified.

The full text of the Proposed Rules begins on the next page:

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED RULES

TITLE 92: TRANSPORTATION

CHAPTER I: DEPARTMENT OF TRANSPORTATION

SUBCHAPTER e: TRAFFIC SAFETY (EXCEPT HAZARDOUS MATERIALS)

PART 447

SCHOOL BUS BRAKE INSPECTIONS

Section

447.1000 Purpose

447.1010 Applicability

447.1020 Definitions

447.1030 Administrative Requirements

ILLUSTRATION A School Bus Brake Inspection Report

AUTHORITY: Implementing and authorized by Section 12-812 of the Illinois Vehicle Equipment Law [625 ILCS 5/12-812].

SOURCE: Adopted at 18 Ill. Reg. _____, effective _____.

Section 447.1000 Purpose

This Part prescribes the requirements and procedures used to implement the Department's annual or 10,000 mile, whichever occurs first, school bus brake inspection program.

Section 447.1010 Applicability

This Part applies to the following persons:

- (a) Department personnel;
- (b) School bus owners or operators;
- (c) Mechanics performing school bus brake inspections; and
- (d) Certified Safety Testers at Illinois School Bus Official Testing Stations.

Section 447.1020 Definitions

"Brake components" - Any component the manufacturer has determined necessary to satisfy regulations or standards (FMVSS or SAE) governing braking operations.

"Certified Safety Tester"(CST) - An individual employed by an Official Testing Station who has passed a written exam and has demonstrated proficiency in the operation of authorized safety test equipment and has been issued evidence and authority by the Department to safety test vehicles in Illinois.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED RULES

"Code" - The Illinois Vehicle Code [625 ILCS 5].

"Department" - The Department of Transportation of the State of Illinois, acting directly or through its authorized agents or officers. (Section 13-100 of the Code)

"Federal Motor Vehicle Safety Standards"(FMVSS) - The rules, regulations and standards set forth in 49 CFR 571.

"Officer" - An employee of the Illinois Department of Transportation.

"Official Testing Station" - All contiguous real and personal property which houses the testing lane(s) and any and all equipment and supplies relating to the safety inspection of vehicles.

"Society of Automotive Engineers"(SAE) - Society responsible for establishing industry standards which manufacturers follow in design and construction of motor vehicles.

"School Bus" - Every motor vehicle, except as provided below, owned or operated by or for any of the following entities for the transportation of persons regularly enrolled as students in grade 12 or below in connection with any activity of such entity:

Any Public or private primary or secondary school;

Any primary or secondary school operated by a religious institution; or

Any public, private or religious nursery school.

This definition shall not include the following:

A bus operated by a public utility, municipal corporation or common carrier authorized to conduct local or interurban transportation of passengers when such bus is not traveling a specific school bus route but is:

On a regularly scheduled route for the transportation of other fare paying passengers;

Furnishing charter service for the transportation of groups on field trips or other special trips or in connection with other special events; or

Being used for shuttle service between attendance centers or other educational facilities.

A motor vehicle of the first division. (Section 1-182 of the Code.)

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED RULES

"School Bus Brake Inspection Report" (see Section 447.111, illustration A) - The form established by the Department to be used by school bus owners/operators to record school bus brake inspection requirements. The Brake Inspection Report is presented to the CST at the Official Testing Station at the time of the safety inspection required by Section 13-101 of the Code.

"Vehicle Inspection Report" - The form prescribed by the Department which is completed at the Official Testing Station when a vehicle is presented for a safety inspection.

Section 447.1030 Administrative Requirements

- (a) The Department requires brakes on school buses operated in Illinois to be visually inspected every 10,000 miles or once a year (whichever occurs first).
- (b) This brake inspection is separate from and in addition to the 10,000 mile or semi-annual safety inspection required by Section 13-101 of the Code.
- (c) The brake components (e.g., linings, drums, hydraulic or air lines, wheel cylinders) must be visually inspected on each school bus. This inspection usually requires the wheels to be pulled from the school bus. Some manufacturers have provided inspection ports on the wheels which can be used in lieu of pulling the wheels provided all applicable brake components can be properly inspected.
- (d) The brake components must be inspected to verify the manufacturer's specifications are being met or exceeded at the time of the brake inspection.
- (e) A school bus brake inspection report must be completed for each school bus inspected to document compliance with the manufacturer's specifications.
- (f) The school bus brake inspection report (Section 447.111, illustration A) contains the following information. An original or photocopy of Section 447.111, illustration A must be used to comply with this subsection.
 - 1) Name, address and phone number of the bus owner/operator;
 - 2) District or school served;
 - 3) School bus unit number;
 - 4) School bus chassis make;
 - 5) School bus chassis year;
 - 6) Vehicle Identification Number;
 - 7) Date and location of brake inspection; and
 - 8) Mileage on school bus at the time of brake inspection.
- (g) The Brake Inspection Report must be signed and dated by an authorized official of the contractor or school district. The authorized official takes full responsibility for the inspection of the braking system.
- (h) A valid, properly completed Brake Inspection Report (see Section 447.111, illustration A) must be presented to the CST at the time of the

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED RULES

safety inspection required by Section 13-101 of the Illinois Vehicle Code. This report must be retained at the Official Testing Station attached to the corresponding Vehicle Inspection Report.

- (i) If the school bus has been driven less than 10,000 miles and less than 12 months have passed since the bus was manufactured, a brake inspection report is not required. The CST should write "Less than 10,000 miles and less than one year old" in the Remarks Section on the Vehicle Inspection Report.
- (j) For each school bus inspected, a separate maintenance record must be maintained which contains the following:
 - 1) Person or person's name performing the brake inspection and repairs, if necessary;
 - 2) Owner/operator of the school bus;
 - 3) Date of the brake inspection/repairs;
 - 4) Vehicle Identification (i.e., year, make, model, Vehicle Identification Number);
 - 5) Mileage on the school bus at the time of the brake inspection; and
 - 6) Record of work performed on the bus in order to meet manufacturer's specifications (e.g., specific components repaired, replaced, adjusted, etc.).
- (k) The maintenance records required in subsection (k) shall be retained where the vehicle is either housed or maintained for a period of one year and for six months after the school bus leaves the owner/operator's control.
- (l) The maintenance records shall be available for inspection and audit by officers of the Department at any time.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED RULES

Section 447. ILLUSTRATION A School Bus Brake Inspection Report



**Illinois Department
of Transportation**
Division of Traffic Safety
3215 Executive Park Drive
P.O. Box 19212
Springfield, Illinois 62794-9212

**School Bus Brake
Inspection Report**

District of Contractor:

Name _____
Address _____
City/State _____ Zip _____ Telephone() _____
School Bus Unit Number _____ Chassis Make _____
Chassis Year _____ Chassis V.I.N. _____

Illinois law requires all school buses to be safety inspected at least once every six months or 10,000 miles, whichever occurs first. In addition, the Illinois Department of Transportation requires that a visual brake inspection be performed on every school bus operated in Illinois at least once a year or every 10,000 miles, whichever occurs first.

A completed School Bus Brake Inspection Report must be presented to the Certified Safety Tester each time a school bus is taken to an Official Testing Station for a safety inspection.

I attest that the entire brake system on the school bus listed above was inspected and found to be operating in accordance with the manufacturer's specifications or was repaired to perform in accordance with the manufacturer's specifications. The visual inspection of the brake system was performed on _____ by a qualified mechanic employed by _____ (date)

_____. The mileage on this school bus (business/school district where brake inspection was completed) was _____ when the visual brake inspection was performed. (mileage)

(name of authorized school district official or contractor) (date)
Please print or type

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED RULES

(signature of authorized school district official or contractor)

(title)

DEPARTMENT ON AGING

DEPARTMENT ON AGING

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Community Care Program
- 2) Code Citation: 89 Ill. Adm. Code 240
- 3) Section Numbers: Adopted Action:
240.430 Amendment
- 4) Statutory Authority: 20 ILCS 105/4.01 (4), (9), (11) and (12);
105/4.02; 105/4.03; and 105/5.02.
- 5) Effective Date of Amendment(s): August 19, 1994
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: August 19, 1994
- 9) Notice of Proposal Published in Illinois Register:

April 1, 1994: 18 Ill. Reg. 5027
(issue date)

- 10) Has JCAR issued a Statement of Objections to this (these) amendment(s)?
No

- 11) Difference(s) between proposal and final version:

The following change was made in response to comment received during the first notice period:

In Section 240.430, a new (2) has been added to subsection (b) as follows:

"2) If the original action is modified, based upon the Department decision resulting from the informal review, the appeal shall automatically proceed to hearing unless the appellant/appellant's authorized representative withdraws the hearing request in writing." and (b) (2) has been relabeled (b) (3).

In addition, the Authority Note was revised in response to the suggestion of the Joint Committee on Administrative Rules.

- 12) Have all changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

- 13) Will this amendment replace an emergency amendment currently in effect?
Yes

- 14) Are there any proposed amendments pending on this Part? No
- 15) Summary and Purpose of Amendment(s):

This rulemaking is in response to the Whiteside v. Lindley, 92-CH-140, Consent Decree entered on March 9, 1994, in the Twentieth Judicial Circuit, in St. Clair County, Illinois. Plaintiffs challenged the Department's appeal process alleging that certain appeal policies and procedures violated a client's due process rights under the fourteenth amendment and State and Federal regulations when their Community Care Program services were either reduced or terminated.

In order to fulfill the agreement reached between the plaintiffs and the Department, the Department has amended the appeal process to provide that an appeal will automatically proceed to hearing after the informal review.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Ms. Pamela W. Balmer, Assistant
Office of General Counsel
Illinois Department on Aging
421 East Capitol Avenue #100
Springfield, Illinois 62701-1789
(217) 782-4842

The full text of the Adopted Amendment(s) begins on the next page:

DEPARTMENT ON AGING

DEPARTMENT ON AGING

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER II: DEPARTMENT ON AGINGPART 240
COMMUNITY CARE PROGRAM

SUBPART A: GENERAL PROGRAM PROVISIONS

Section	Community Care Program
240.100	Department Prerogative
240.110	Services Provided
240.120	Maintenance of Effort
240.130	Program Limitations
240.140	Completed Applications Prior to August 1, 1982 (Repealed)
240.150	Definitions
240.160	

SUBPART B: SERVICE DEFINITIONS

Section	Homemaker Service
240.210	Chore-Housekeeping Service (Repealed)
240.220	Adult Day Care Service
240.230	Information and Referral
240.240	Demonstration/Research Projects
240.250	Case Management Service
240.260	Alternative Provider
240.270	Individual Provider
240.280	

SUBPART C: RIGHTS AND RESPONSIBILITIES

Section	Applicant/Client Rights and Responsibilities
240.300	Right to Apply
240.310	Nondiscrimination
240.320	Freedom of Choice
240.330	Confidentiality/Safeguarding of Case Information
240.340	Applicant/Client/Authorized Representative Cooperation
240.350	Reporting Changes
240.360	Voluntary Repayment
240.370	

SUBPART D: APPEALS

Section	Appeals and Fair Hearings
240.400	Representation
240.405	When the Appeal May Be Filed
240.410	What May Be Appealed
240.415	Group Appeals
240.420	

240.425	Informal Review
240.430	Informal Review Findings
240.435	Withdrawing an Appeal
240.440	Examining Department Records
240.445	Hearing Officer
240.450	The Hearing
240.451	Conduct of Hearing
240.455	Continuance of the Hearing
240.460	Postponement
240.465	Dismissal Due to Non-Appeal
240.470	Rescheduling the Appeal Hearing
240.475	Recommendations of Hearing Officer
240.480	The Appeal Decision
240.485	Reviewing the Official Report of the Hearing

SUBPART E: APPLICATION

Section	Application for Community Care Program
240.510	Who May Make Application
240.520	Date of Application
240.530	Statement to be Included on Application
240.540	

SUBPART F: ELIGIBILITY

Section	Eligibility Requirements
240.600	Establishing Eligibility
240.610	Home Visit
240.620	Determination of Eligibility
240.630	Eligibility Decision
240.640	Continuous Eligibility
240.650	Frequency of Redeterminations
240.655	Extension of Time Limit
240.660	

SUBPART G: NON-FINANCIAL REQUIREMENTS

Section	Age
240.710	Determination of Need
240.715	Clients Prior to Effective Date of this Section (Repealed)
240.720	Clients After Effective Date of this Section (Repealed)
240.725	Emergency Budget Act Reduction (Repealed)
240.726	Minimum Score Requirements
240.727	Maximum Payment Levels for Service
240.728	Maximum Payment Levels for Adult Day Care Service
240.729	Plan of Care
240.730	Supplemental Information
240.735	Assessment of Need
240.740	

DEPARTMENT ON AGING

DEPARTMENT ON AGING

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

240.750 Citizenship
 240.755 Residence
 250.760 Furnishing of Social Security Number

Section
 240.1110 Individual Transfer Request - Vendor to Vendor - No Change in Service
 240.1120 Individual Transfer Request - Vendor to Vendor - With Change in Service
 240.1130 Individual Transfers - Case Coordination Unit to Case Coordination Unit
 240.1140 Transfer of Pending Applications
 240.1150 Interagency Transfers
 240.1160 Temporary Transfers - Case Coordination Unit to Case Coordination Unit
 240.1170 Caseload Transfer - Vendor to Vendor
 240.1180 Caseload Transfer - Case Coordination Unit to Case Coordination Unit

SUBPART H: FINANCIAL REQUIREMENTS

Section
 240.800 Financial Factors
 240.810 Assets
 240.815 Exempt Assets
 240.820 Asset Transfers
 240.825 Income
 240.830 Unearned Income Exemptions
 240.835 Earned Income
 240.840 Potential Retirement, Disability and Other Benefits
 240.845 Family
 240.850 Monthly Average Income
 240.855 Applicant/Client Expense for Care
 240.860 Change in Income
 240.865 Application For Medical Assistance (Medicaid)
 240.870 Determination of Applicant/Client Monthly Expense for Care
 240.875 Client Responsibility

SUBPART I: DISPOSITION OF DETERMINATION

Section
 240.905 Prohibition of Institutionalized Individuals From Receiving Community Care Program Services
 240.910 Written Notification
 240.915 Service Provision
 240.920 Reasons for Denial
 240.925 Frequency of Redeterminations (Renumbered)
 240.930 Suspension of Services
 240.935 Discontinuance of Services to Clients
 240.940 Penalty Payments
 240.945 Notification
 240.950 Reasons for Termination
 240.955 Reasons for Reduction or Change

SUBPART J: SPECIAL SERVICES

Section
 240.1010 Nursing Home Prescreening
 240.1020 Interim Services
 240.1040 Intense Service Provision
 240.1050 Temporary Service Increase

SUBPART K: TRANSFERS

Section
 240.1510 Provider Administrative Minimum Standards
 240.1520 Provider Responsibilities
 240.1530 General Homemaker Staffing Requirements
 240.1535 Homemaker Staff Positions, Qualifications and Responsibilities
 240.1540 General Chore-Housekeeping Staffing Requirements (Repealed)

SUBPART L: ADMINISTRATIVE SERVICE CONTRACT

Administrative Service Contract

SUBPART M: CASE COORDINATION UNITS AND VENDORS

Section
 240.1310 Standard Contractual Requirements for Case Coordination Units and Vendors
 240.1320 Vendor or Case Coordination Unit Fraud/Illegal or Criminal Acts
 240.1330 General Vendor and CCU Responsibilities (Repealed)
 240.1396 Payment for Services (Repealed)
 240.1397 Purchases and Contracts (Repealed)
 240.1398 Safeguarding Case Information (Repealed)
 240.1399 Suspension/Termination of a Vendor or Case Coordination Unit (CCU)

SUBPART N: CASE COORDINATION UNITS

Section
 240.1400 Community Care Program Case Management
 240.1410 Case Coordination Unit Administrative Minimum Standards
 240.1420 Case Coordination Unit Responsibilities
 240.1430 Case Management Staff Positions, Qualifications and Responsibilities
 240.1440 Training Requirements For Case Management Supervisors and Case Managers

SUBPART O: PROVIDERS

Provider Administrative Minimum Standards
 Provider Responsibilities
 General Homemaker Staffing Requirements
 Homemaker Staff Positions, Qualifications and Responsibilities
 General Chore-Housekeeping Staffing Requirements (Repealed)

DEPARTMENT ON AGING
NOTICE OF ADOPTED AMENDMENTS

DEPARTMENT ON AGING
NOTICE OF ADOPTED AMENDMENTS

Transportation
Adult Day Care Fixed Unit Reimbursement Rates
Case Management Fixed Unit Reimbursement Rates
240.1950
240.1960
SUBPART T: FINANCIAL REPORTING
Section
240.2020 Financial Reporting of Homemaker Service
240.2030 Unallowable Costs for Homemaker Service
240.2040 Minimum Direct Service Worker Costs for Homemaker Service
240.2050 Cost Categories for Homemaker Service

Chore-Housekeeping Staff Positions, Qualifications and Responsibilities (Repealed)
Standard Requirements for Adult Day Care Providers
General Adult Day Care Staffing Requirements
240.1545
240.1550
240.1555
240.1560 Adult Day Care Staff Qualifications
240.1565 Adult Day Care Satellite Sites
240.1570 Service Availability Expansion
240.1575 Adult Day Care Site Relocation
240.1580 Standards for Alternative Providers
240.1590 Standard Requirements for Individual Provider Services

AUTHORITY: Implementing Section 4.02 and authorized by Section 4.01(1) of the Illinois Act on the Aging [20 ILCS 105/4.02 and 4.01(1)].

SUBPART P: PROVIDER PROCUREMENT

Section
240.1600 Provider Contract
240.1605 Procuring Provider Services
240.1610 Procurement Cycle for Provider Services
240.1620 Issuance of Provider Proposal and Guidelines
240.1625 Content of Provider Proposal and Guidelines
240.1630 Criteria for Number of Provider Contracts Awarded
240.1635 Evaluation of Provider Proposals
240.1640 Determination and Notification of Provider Awards
240.1645 Objection to Procurement Action Determination
240.1650 Classification of Provider Service Violations
240.1655 Method of Identification of Provider Service Violations
240.1660 Compliance Reviews of Contracted Provider Agencies
240.1661 Provider Right to Appeal
240.1665 Contract Actions for Failure to Comply with Community Care Program Requirements

SUBPART Q: CASE COORDINATION UNIT PROCUREMENT

Section
240.1710 Procurement Cycle For Case Management Services
240.1720 Case Coordination Unit Compliance Review

SUBPART R: ADVISORY COMMITTEE

Section
240.1800 Community Care Program (CCP) Advisory Committee
240.1850 Technical Rate Review Advisory Committee (Repealed)

SUBPART S: RATES

Section
240.1910 Establishment of Fixed Unit Rates
240.1920 Contract Specific Variations
240.1930 Fixed Unit Rate of Reimbursement for Homemaker Service
240.1940 Fixed Unit Rates of Reimbursement for Adult Day Care Service and

SOURCE: Emergency rules adopted at 4 Ill. Reg. 1, p. 67, effective December 20, 1979, for a maximum of 150 days; adopted at 4 Ill. Reg. 17, p. 151, effective April 25, 1980; amended at 4 Ill. Reg. 43, p. 86, effective October 15, 1980; emergency amendments at 5 Ill. Reg. 1900, effective February 18, 1981, for a maximum of 150 days; amended at 5 Ill. Reg. 12090, effective October 26, 1981; emergency amendments at 6 Ill. Reg. 8455, effective July 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 14953, effective December 1, 1982; amended at 7 Ill. Reg. 8697, effective July 20, 1983; codified at 8 Ill. Reg. 2633; amended at 9 Ill. Reg. 1739, effective January 29, 1985; amended at 9 Ill. Reg. 10208, effective July 1, 1985; emergency amendments at 9 Ill. Reg. 14011, effective August 29, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 5076, effective March 15, 1986; recodified at 12 Ill. Reg. 7980; amended at 13 Ill. Reg. 11193, effective July 1, 1989; emergency amendments at 13 Ill. Reg. 13638, effective August 18, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 17327, effective November 1, 1989; amended at 14 Ill. Reg. 1233, effective January 12, 1990; amended at 14 Ill. Reg. 10732, effective July 1, 1990; emergency amendments at 15 Ill. Reg. 2838, effective February 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 10351, effective July 1, 1991; emergency amendments at 15 Ill. Reg. 14593, effective October 1, 1991 for a maximum of 150 days; emergency amendments at 15 Ill. Reg. 17398, effective November 15, 1991, for a maximum of 150 days; amendments suspended at 16 Ill. Reg. 18568, effective December 13, 1991; emergency amendments at 16 Ill. Reg. 1744; emergency amendments at 16 Ill. Reg. 2630, effective February 1, 1992, for a maximum of 150 days; emergency amendments modified and reinstated at 16 Ill. Reg. 2943; emergency amendments at 16 Ill. Reg. 2901, effective February 6, 1992, to expire June 30, 1992; emergency amendments at 16 Ill. Reg. 4069, effective February 28, 1992, to expire June 30, 1992; amended at 16 Ill. Reg. 11403, effective June 30, 1992; emergency amendments at 16 Ill. Reg. 11625, effective July 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 11731, effective June 30, 1992; emergency rule added at 16 Ill. Reg. 12615, effective July 23, 1992, for a maximum of 150 days; modified at 16 Ill. Reg. 16680; amended at 16 Ill. Reg. 14565, effective September 8, 1992; amended at 16 Ill. Reg. 18767, effective November 27, 1992; amended at 17 Ill. Reg. 224, effective December 29, 1992;

DEPARTMENT ON AGING

NOTICE OF ADOPTED AMENDMENTS

amended at 17 Ill. Reg. 6090, effective April 7, 1993; amended at 18 Ill. Reg. 609, effective February 1, 1994; emergency amendment at 18 Ill. Reg. 5348, effective March 22, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 13375, effective AUG 19 1994.

SUBPART D: APPEALS

Section 240.430 Informal Review Findings

a) Within 60 calendar days from the date of receipt of the Notice of Appeal to Department on Aging form, the Department shall conduct an informal review and issue an Appeal Findings Notice which may be delayed pending an extension of time caused by the appellant.

b) The Appeal Findings Notice shall clearly state the facts determined and decision of the Department based upon the informal review. Copies shall be sent to all parties to the appeal.

1) If the appeal is upheld, based upon the Department decision resulting from the informal review, the appeal file shall be closed.

2) If the original action is modified, based upon the Department decision resulting from the informal review, the appeal shall automatically proceed to hearing unless the appellant/appellant's authorized representative withdraws the hearing request in writing.

32) If the appeal is denied, based upon the Department decision resulting from the informal review, the appeal shall automatically proceed to hearing unless the appellant/appellant's authorized representative withdraws the hearing request in writing. appellant/authorized representative shall be advised of his/her right to request a formal hearing.

A) The appellant/authorized representative must advise the Department of the intent to request a formal hearing either by telephone or in writing to be followed by submission to the Department of a completed and signed Request for Hearing form.

B) The Department must receive the Request for Formal Hearing form on or before 15 calendar days from the date the Appeal Findings Notice is issued.

C) If the Department does not receive the required form within the time frame specified above, the request for a formal hearing shall be denied and the appeal file shall be closed.

c) Effective April 1, 1992, Case Coordination Units are to provide a copy of any notice of adverse action to an applicant's/client's authorized representative, if the client has earned 10 points on the Mini-Mental State Examination (MMSE). If the authorized representative is a family member residing with the client, the single notice to the client will suffice.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Carnival and Amusement Ride Inspection Law

2) Code Citation: 56 Ill. Adm. Code 6000

3) Section Numbers: Adopted Action:

6000.10 Amendments
6000.30 Amendments
6000.40 Amendments
6000.65 Amendments
6000.70 Amendments
6000.80 Amendments
6000.100 Amendments
6000.110 Amendments
6000.120 Amendments
6000.130 Amendments
6000.140 Amendments
6000.150 Amendments
6000.160 Amendments
6000.170 Amendments
6000.190 Amendments
6000.220 Amendments
6000.250 Amendments
6000.260 Amendments
6000.270 Amendments
6000.280 Amendments
6000.290 Amendments
6000.300 Amendments
6000.310 Amendments
6000.320 Amendments
6000.330 Amendments
6000.340 Amendments

4) Statutory Authority: 430 ILCS 85/2-6

5) Effective Date of Rule(s): September 1, 1994

6) Do these rulemakings contain an automatic repeal date? No

7) Do these rule contain incorporations by reference? Yes.
The only change in this and previous versions is the updating of ANSI Standard B77.1 in Section 6000.290 from the 1982 to the 1992 edition.

8) Date Filed in Agency's Principal Office: August 1, 1994

9) Notice(s) of Proposal Published in Illinois Register:

April 22, 1994: Vol. 18, Issue 16, Page 6040

10) Has JCAR issued a Statement of Objections to these rules? No

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

11) Difference(s) between proposal and final version:

Section 6000.10: In the introduction, the phrase "...for the purposes of these regulations" was changed to "...for the purposes of this Part."

Section 6000.10: "Operator" In the definition of Agent, the phrase "...management on their behalf" was changed to "...management on the Owner's behalf."

Section 6000.40(h): The ILCS statutory cite was clarified.

Section 6000.70: The phrase "the effective date of this Part" was deleted.

Section 6000.100: The phrase "...days of..." was changed to "...days after..." in three places.

Section 6000.280(b): "qualification(s)" was changed to "certifications" in two places.

Section 6000.28(d): The phrase "...and disseminate" and the sentence "This list shall include the test specifications and frequency of testing" were added. The obsolete list of ride requiring nondestructive testing was deleted.

Section 6000.320(c)(6): The phrase "if mats are used" was deleted.

Section 6000.340(b)(1)(c): The complete statutory citations were added.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rule replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rule(s):

This rulemaking is in response to the Joint Committee on Administrative Rules recommendation that the Carnival-Amusement Safety Board clarify the definition and use of the term "Operator". This rule delineates the function and separates the responsibilities of a person who owns the amusement, the person charged with the general management on behalf of an owner, the person who is the on-site manager, and the person who directly operates the amusement while it is being used by the public.

16) Information and questions regarding these adopted amendments shall be directed to:

Name: Carl Kimble, Chief Inspector
Address: Carnival & Amusement Ride Division

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

Illinois Department of Labor
#1 W. Old State Capitol Plaza, Room 300
Springfield, Illinois 62701
Telephone: (217) 782-9347

The full text of the Adopted Amendments begins on the next page:

CARNIVAL-AMUSEMENT SAFETY BOARD

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

TITLE 56: LABOR AND EMPLOYMENT
CHAPTER XIII: CARNIVAL-AMUSEMENT SAFETY BOARD

PART 6000

CARNIVAL AND AMUSEMENT RIDE INSPECTION LAW

Section	
6000.10	Definitions
6000.20	Exemptions
6000.30	Inspections
6000.40	Application for a Permit to Operate
6000.50	Permit and Inspection Fees
6000.60	Revocation of Permit to Operate (Repealed)
6000.65	Suspension of Permit to Operate
6000.70	Ride Design and Construction
6000.80	Insurance
6000.90	Penalties
6000.100	Appeals
6000.110	Assembly and Disassembly
6000.120	Operator Requirements
6000.130	Passenger Conduct
6000.140	Signal Systems
6000.150	Daily Inspection and Test
6000.160	Reports
6000.170	Maintenance
6000.180	Stop Operation Order
6000.190	Fire Prevention and Protection
6000.200	Internal Combustion Engines
6000.210	Means of Access and Egress
6000.220	Electrical Equipment
6000.230	Hydraulic Systems
6000.240	Air Compressors and Equipment
6000.250	Wire Rope
6000.260	Chain
6000.270	Inflated Amusement Attractions and Inflated Buildings
6000.280	Non-Destructive Testing
6000.290	Ski Lifts, Aerial Tramways, and Rope Tows
6000.300	Go-Karts, Dune Buggies, and All-Terrain Vehicles
6000.310	Water Slides
6000.320	Dry Type Slides
6000.330	Trams
6000.340	Bungee Jumping

AUTHORITY: Implementing and authorized by the Carnival and Amusement Rides Safety Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 4051 et seq.) (430 ILCS 85).

SOURCE: Emergency Rules adopted at 9 Ill. Reg. 7176, effective May 3, 1985, for a maximum of 150 days; emergency expired September 30, 1985; adopted at 10

Ill. Reg. 7685, effective April 29, 1986; emergency amendment at 10 Ill. Reg. 19117, effective October 27, 1986, for a maximum of 150 days; amended at 11 Ill. Reg. 5896, effective March 24, 1987; amended at 11 Ill. Reg. 19650, effective November 18, 1987; amended at 12 Ill. Reg. 11186, effective June 20, 1988; emergency amendment at 13 Ill. Reg. 8025, effective May 15, 1989, for a maximum of 150 days; emergency expired October 12, 1989; amended at 13 Ill. Reg. 20309, effective January 1, 1990; emergency amendment at 14 Ill. Reg. 3235, effective February 9, 1990, for a maximum of 150 days; emergency expired July 9, 1990; amended at 15 Ill. Reg. 4109, effective February 28, 1991; emergency amendment at 16 Ill. Reg. 7716, effective May 11, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 12436, effective August 1, 1992; amended at 16 Ill. Reg. 15415, effective September 28, 1992; amended at 17 Ill. Reg. 14910, effective September 1, 1993; amended at 18 Ill. Reg. **13384**, effective **SEP 01 1994**.

Section 6000.10 Definitions

In addition to those definitions found in Section 2-2 of the Carnival and Amusement Rides Safety Act (the Act), (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 4052) [430 ILCS 85/2-2], the following definitions shall apply for the purposes of these regulations **this Part:**

"Annual Inspection" is the official inspection of a ride or device made by the Director or his designee.

"ANSI" is the abbreviation for the American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018.

"ASNT" is the abbreviation for the American Society for Nondestructive Testing, Inc., 1711 Arlington Plaza, P.O. Box #28518, Columbus, Ohio 43228-0518.

"ASTM" is the abbreviation for American Society for Testing and Materials, 1916 Race Street, Philadelphia, Pennsylvania 19103.

"Department" means Illinois Department of Labor. (Section 2-2 of the Act)

"Director" means the Director of the Illinois Department of Labor or his designee. (Section 2-2 of the Act)

"Dry Slides" means an inclined surface with a change in elevation of twenty feet or more upon which people slide or are conveyed.

"Flume" means an inclined channel which conveys the water and the slide participant from the top of the slide to the plunge pool.

"Kiddie Rides" are those rides which are designed for 75 pounds or less per passenger.

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

"Major Alteration" means a change in the type or capacity of an amusement ride or amusement attraction or a change in the structure or mechanism that materially affects its functions or operation. This includes, but is not limited to changing its mode of transportation from non-wheeled to a truck or flat-bed mount, and changing its mode of assembly or other operational functions from manual to mechanical or hydraulic.

"Major Breakdown" means a stoppage of operation of an amusement ride or amusement attraction occurring from damage of a structural component.

"Major Rides" are those rides which are designed for more than 75 pounds per passenger unit.

"NFPA" is the abbreviation for National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269.

"Operator" means a person, or agent of a person, who owns or controls or has the duty to control the operation of an amusement ride or amusement attraction at a carnival or fair. "Operator" includes an agency of the State or any of its political subdivisions (Section 2-2 of the Act). For the purpose of this part:

Owner means the person, partnership, company, corporation, or any other entity, or agency of the State or any of its political subdivisions, who owns an amusement ride or amusement attraction.

Agent means a person employed by the Owner to carry out the responsibilities of management on the Owner's behalf.

Manager means a person employed by the Owner and who is responsible to the Agent or the Owner for the day-to-day on-site management of the amusement ride(s) and/or amusement attraction(s).

Attendant means a person employed by the Owner to physically operate an amusement ride or amusement attraction when it is open to the public.

Assistant means a person employed by the Owner to assist the Attendant in operating an amusement ride or amusement attraction when it is open to the public.

"Payment of Fees" as used in this Part shall be deemed made if the department receives all fees assessed in the form of a check or money order made payable to "Illinois Department of Labor" no later than seven calendar days after the date of inspection. ~~When an inspector presents to the operator an invoice for all applicable fees due, the~~

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

~~operator's signature thereon shall constitute an acknowledgment by the operator that the fee amount is correct and is properly due and owing the Department.~~

"Permit" means a permit issued annually by the Department to an operator allowing an amusement ride or an amusement attraction unit to be operated in the State of Illinois.

"Plunge Pool" means a pool or artificial body of water into which a person exits from a water slide.

"Reinspection" is an inspection, other than the annual inspection made during the year, as a result of any necessary repairs not being completed while the inspector is on site.

"Serious Injury" means an injury for which treatment by a licensed physician is required.

"Tram" means: Any tram, open car, or combination of open cars or wagons pulled by a tractor or other motorized device which is not licensed by the Secretary of State, which may, but does not necessarily follow a fixed or restricted course, and is used primarily for the purpose of giving its passengers amusement, pleasure, thrills or excitement, and for which an individual fee is charged or a donation accepted with the exception of hayrack rides. (Section 2-2 of the Act)

"Water Slide" means a slide which consists of a flume, a plunge pool, a pump reservoir and water treatment facilities where water is pumped to the top of the flume and allowed to flow down the flume to the plunge pool.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 6000.30 Inspections

- a) The inspector, upon presenting credentials to the operator, is authorized without prior notice to inspect and investigate during regular working hours, any establishment, assembly area, or other area where amusement rides or amusement attractions are assembled or are in use.
- b) Inspection includes a review of necessary documents required under this part, observance and/or inspection of ride assembly or set-up. Inspection of the ride is to include: foundation, blocking, fuel containers, mechanical conditions, and safe operation of the ride.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

Section 6000.40 Application for a Permit to Operate

- a) No amusement ride or amusement attraction shall be operated for public use at a carnival or fair in this State without a permit having been issued by the Director to the operator owner of such equipment.
- b) The permit will be valid for one calendar year.
- c) On or before the first day of May each year, the operator owner or agent of an amusement ride or amusement attraction shall apply to the Director for a permit to operate in Illinois. The application shall be made upon forms furnished by the Director. The application shall be made on form number IL 452-0005 and be accompanied by a certificate of insurance indicating that the operator has obtained insurance in the amount as set forth in Section 2-14 of the Act and the Non-Destructive Test Certificates as required by Section 6000.280 and the time time(s) and place place(s) when they where the ride(s) or attraction(s) will be available for inspection. Upon receipt of the application for a permit, an inspector will be assigned to make the annual inspection.
- d) Inspections will be scheduled as expeditiously as practicable, considering the availability of inspectors, the location of the sites to be inspected, and the complexity of the inspection.
- e) If an amusement ride or amusement attraction undergoes a major alteration or is repaired after a major breakdown it shall be reinspected.
- f) Payment of permit and inspection fees shall be delivered to Illinois Department of Labor, Carnival and Amusement Ride Inspection Division, #1 West Old State Capitol Plaza, Room 300, Springfield IL 62701. An operator may not make payment in any form for service or any cause or purpose. Without exception, payment may not be made to an inspector.
- g) No permit will be issued if there are any:
- 1) outstanding Outstanding charges or fees;
 - 2) open Open Stop Operation Orders;
 - 3) modifications Modifications, repairs or maintenance procedures that are not in accordance with manufacturer's standards;
 - 4) or the The operator owner of agent fails to comply with the procedures set forth in this Part.
- h) The Department shall maintain the confidentiality of all route sheets as authorized by Section 7(1)(g) of the Freedom of Information Act (Ill. Rev. Stat. 1987 1991, ch. 116, par. 207g) [5 ILCS 140/7(1)(g)].
- (Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 6000.65 Suspension of Permit to Operate

The Director shall suspend the Permit to Operate of an operator owner who does not pay the permit fee and any applicable inspection fee within seven (7) calendar days after the date of inspection. The suspension shall remain in effect until all fees are paid. The amusement ride or amusement attraction may

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

not be operated while the permit is suspended.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 6000.70 Ride Design and Construction.

No amusement ride manufactured or undergoing major alterations after April 29, 1986, the effective date of this Part shall be placed in service unless:

- a) It complies with ASTM Standard F698-83 (1983). This Standard is hereby incorporated by reference and does not include any later editions, amendments or corrections;
- b) The operator owner is supplied with a manual containing the operation procedures established by ASTM Standard F770-82 (1982). This Standard is hereby incorporated by reference and does not include any later editions, amendments or corrections;
- c) The operator owner receives certification that the ride has been tested to the standards as established by ASTM Standard F846-83 (1983). This Standard is hereby incorporated by reference and does not include any later editions, amendments or corrections; and
- d) The operator owner is supplied with a maintenance procedures manual as established by ASTM Standard F853-83 (1983). This Standard is hereby incorporated by reference and does not include any later editions, amendments or corrections.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 6000.80 Insurance

No person shall operate an amusement ride or amusement attraction unless there is in force:

- a) A current liability insurance policy with coverage in amounts at least as great as those required by Section 2-14 of the Act. Proof of insurance shall be a certificate of insurance issued by the insurer and filed with the Carnival and Amusement Ride Inspection Division of the Department of Labor; or
- b) A bond in like amount, as set forth in Section 2-14 of the Act; or
- c) A deposit with the Board of cash or other security acceptable to the chairman.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 6000.100 Appeals

If, after inspection, an application for permit is denied, the affected operator owner or agent may request the chief inspector to review the denial. If the chief inspector determines that the denial was in conformance with this

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

Part and the Act, he shall notify the affected operator party of his determination, orally or in writing, within 5 days of after the receipt of the request. The operator owner or agent may, within 20 business days of after its the original request, petition the Board in writing and request a review of the chief inspector's determination. The Board shall issue its written findings within 15 days of after receipt of the written petition from the operator. The Board's findings shall constitute final administrative action.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 6000.110 Assembly and Disassembly

- a) The operator attendant of an amusement ride shall comply with the manufacturer's construction manual for the assembly and disassembly of the ride. The manufacturer's construction manual shall be available for inspection by the Department. In the absence of a manufacturer's operating manual, the operator attendant or manager shall have the written step by step procedure or other documents used by the operator attendant for the assembly and disassembly of the amusement ride or amusement attraction.
- b) Amusement rides and amusement attractions shall be kept away from overhead electrical lines, except for the electric power supply to each ride, by a minimum of 15 feet.
- c) Quality of Assembly. Assembly work shall be in accordance with the manufacturers requirements; or, in the absence of manufacturers requirements, in accordance with industry accepted standards.
- d) Quality and Inspection of Parts. Parts worn beyond manufacturers specifications shall not be used. Close visual inspection of parts shall be made during assembly to discover such wear or damage and immediate inspection of fastening devices shall be made after assembly to assure that they have been properly installed.
- e) Before being used by the public, amusement rides and amusement attractions shall be placed on or secured with blocking, cribbing, outriggers, guys, or other means as to be stable under all operating conditions.

- 1) Long guy wires or braces utilized for amusement ride or amusement attraction support shall be clearly marked with streamers or other devices to attract attention when located in pedestrian or traffic patterns.

- 2) Cement, brick, or stone type blocks shall not be used for blocking, cribbing or outriggers. Brick or similar type blocks may be permitted on buildings such as bumper cars and on platforms, cat walks, ramps, stairs and stations of rides that bear no weight of the amusement ride.

- 3) Cribbing or crossing of blocks shall be required when more than 2 tiers high. The height of the blocking shall not exceed the width of the base.

- f) All amusement rides, such as but not limited to passenger tramways,

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

where restoration of electric power could create a hazard hazard shall be provided with a main disconnect switch capable of being locked only in the off position.

- g) The path of travel of an amusement ride shall have a clearance to insure that a passenger on the ride cannot be injured by contacting any structural member or other fixed object when the passenger is in the recommended riding position.

- h) All amusement rides or amusement attractions shall be adequately shielded so as to provide protection to spectators and riders.

- 1) Fences shall be erected to resist moving or tipping and shall prevent inadvertent contact between the spectator and rider. In determining whether a ride is adequately fenced the inspector shall consider the maximum diameter and height of the ride operated at the manufacturers maximum recommendation. All barriers purchased after the adoption of this part, shall be at least 36" high for major rides and 24" high for kiddie rides and shall be located at a safe distance from the ride.

- 2) All power unit units shall be shielded by:

- A) Fencing Fencing around unit; or
- B) Mesh Mesh guarding over unit; or
- C) total Total enclosure.

- i) Leveling and alignment shall be to manufacturers specifications.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 6000.120 Operator Requirements

- a) The All ride operator attendants or assistants shall be a least 16 years of age (the Child Labor Law, Ill. Rev. Stat. 1991, ch. 48, par. 31.1 et seq.) [820 ILCS 205].

- b) The ride--operator attendant shall operate no more than one amusement ride or amusement attraction at any given time, even if automatic timing devices are used to control the time cycle of the ride.

- c) The ride--operator attendant and assistant shall be trained in the proper use and operation of the ride/attraction as provided for in ASTM F770-82 (1982) and ASTM F853-83 (1983) and shall be an employee of the owner/operator.

- d) The ride operator attendant or assistant shall ensure that all passenger safety devices are in place around patrons before starting. The operator attendant shall be within arms length of the operators station when the ride/attraction is in use.

- f) The ride--operator--should--not--operate--any--ride--while--under--the influence--of--alcohol--or--drugs. The ride attendant or assistant shall not operate any ride or attraction while under the influence of alcohol or any drug or combination of drugs to a degree that renders the operator incapable of safely operating the ride or attraction. For the purposes of this Section, the term "drug" includes any substance defined as a drug by Section 102(t) of the Illinois

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

Controlled Substance Act (Ill. Rev. Stat. 1991, ch. 56 1/2, par. 1102) [702 ILCS 570/102].

- g) The operator attendant or assistant shall ensure that no one is permitted on a ride while carrying any article, i.e., food, beverages, packages, lighted cigarettes, etc., which could endanger the rider or spectators.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 6000.130 Passenger Conduct

- a) The owner or operator of an amusement ride or amusement attraction may deny entry to a person to an amusement ride or amusement attraction if, in the owner's or operator's opinion, the entry may jeopardize the safety of such person or the safety of any other person. (Section 2-19 of the Act)

- b) Any amusement ride or amusement attraction which is subject to guardian, height or weight requirement established by manufacturer, manager or operator attendant shall have such restriction in plain view at the entrance to the ride. No operator may waive such Such restriction may not be waived.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 6000.140 Signal Systems

- a) When the operator attendant has an obstructed view of the area where the passengers are loaded and unloaded a signal system shall be provided and utilized for controlling, starting and stopping an amusement ride or amusement attraction
- b) The signal system adopted for the amusement ride or amusement attraction shall be printed and kept posted at both the operator's attendant and signal-man's-operator assistant stations.
- c) Signal systems shall be tested each day before the opening of the amusement ride or amusement attraction to the public. An amusement ride or amusement attraction requiring a signal system may not be operated if the system is not operational.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 6000.150 Daily Inspection and Test

- a) The amusement rides and amusement attractions shall be inspected and tested on each day they are intended to be used. This inspection shall be made by a trained operator attendant as defined in Section 6000.120(c). Results of these daily inspections shall be recorded on

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

industry approved forms such as Outdoor Amusement Business Association, Form No. 1A0A-2, on other forms approved by the Department, and Completed inspection forms shall be certified by an operator manager. The record of daily inspection shall be kept on file by the operator manager for one calendar year and be made available to the inspector during inspection.

- b) The inspection and test shall include the operation of control devices, speed limiting devices, brakes, anti-roll back dogs, and other equipment provided for safety.

- c) The amusement ride shall be operated through a minimum of one ride sequence.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 6000.160 Reports

- a) Personal Injury Report. The operator owner or manager of an amusement ride or amusement attraction shall report a serious injury to the Department within 24 hours after occurrence of the incident by telephone or other means of immediate communication. An operator owner or manager shall confirm in writing to the Director all such accidents within forty-eight hours after occurrence of the incident. The report of an accident may be a duplicate copy of the report submitted to the insurance companies.

- b) Fatal Accident Reports:

- 1) An operator owner or manager shall as soon as physically possible report to the Director all fatal accidents resulting from the operation of an amusement ride or amusement attraction.

- 2) The initial report shall be made by telephone and followed within twenty-four hours in writing.

- 3) If the fatality is related to a major breakdown the Department shall initiate an investigation within 24 hours of initial notification.

- 4) The amusement ride or amusement attraction shall not be moved or repaired without written approval of the Department. This rule shall not be construed to hinder any action by emergency response personnel or to prevent the elimination of any obvious safety hazard.

- 5) The operator owner or manager shall afford the Department every facility for inspection. He shall provide for inspection at the owners-place-of-business all information or facts known to him as to the cause of such accidents.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 6000.170 Maintenance

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

- a) The operator attendant shall perform periodic maintenance as required or recommended by the ride manufacturer. Such maintenance shall be recorded on Daily Inspection Checklists as provided in Section 6000.150(a) and be available for review by the Director.
- b) Maintenance records shall be maintained for one calendar year.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 6000.190 Fire Prevention and Protection

- a) The inspector shall waive the requirement that an operator owner or agent be inspected under this Section prior to operation if an operator owner or agent gives satisfactory proof that all amusement rides, amusement attractions, and the carnival or fair site have passed an inspection conducted by the State Fire Marshall or the local fire protection agency. The inspection by the State Fire Marshall or local fire protection agency must have been conducted no more than 5 days prior to the department's inspection and must have been conducted in accordance with standards and requirements that are at least equal to those requirements and standards applicable to fire protection and prevention established in this Part.
- b) If the inspection requirements have not been waived under the requirements of Section 6000.190(a) then the following shall apply.

- 1) The operator manager shall provide a portable fire extinguisher complying with NFPA-10, 1984 Standard, within 125 feet of any amusement ride, amusement attraction, or electrical distribution system. The NFPA-10, 1984 Standard, is hereby incorporated by reference and does not include any later editions, amendments or corrections.

- 2) Flammable waste, such as oily rags and other flammable or combustible materials, shall be placed in a covered metal container which shall be kept in easily accessible locations. Such containers shall not be kept at or near access, egress or aisles.

- 3) Fire and smoke detecting systems shall be installed in each building or structure used in an amusement ride or amusement attraction which requires a darkened interior during operation.

- 4) Gasoline, other flammable liquids and flammable gases shall be stored ~~shall be kept~~ in reasonably cool and ventilated places in accordance with NFPA-30, 1984 Standard, which is hereby incorporated by reference and does not include any later editions, amendments or corrections.

- A) Dispensing of such liquids shall be from approved safety cans painted red and marked with the word "Gasoline" in 1/2" high letters in a contrasting color. Damaged or leaking fuel containers are prohibited.

- B) Smoking and/or the carrying of open flame, lighted cigars, cigarettes, or pipes is prohibited in any area where such

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

- liquids or gases are stored or transferred from one container to another.
- C) Bulk storage (quantities over 12 gallons) is not permitted in any area accessible to the public.

- 5) Fabric constituting part of an amusement attraction shall meet the flamespread ratings of NFPA-701, 1977 Standard which is hereby incorporated by reference and does not include any later editions, amendments or corrections. ~~the operator shall have a~~ A certificate or a test report from the fabric manufacturer or approved testing agency indicating a fire resistance rating equal to or better than the above standard shall be available upon request.

- 6) "No Smoking" signs shall be posted at the entrance to all amusement rides or amusement attractions which require a darkened interior during operation.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 6000.220 Electrical Equipment

- a) All electrical equipment must comply with ~~NFPA70-1987~~ NFPA70-1997 ~~NFPA-70-1987~~. The National Electrical Code, ~~NFPA70-1987~~ NFPA-70-1987 is hereby incorporated by reference and does not include any later editions, amendments or corrections.

- b) Lock Out. A means shall be provided for locking out the power source to the amusement ride, amusement attraction, and equipment for maintenance, repair or inspection. This may be a padlock latch on the main switch.

- c) High Voltage Lines. The outlets for electric power lines carrying more than 120 volts shall be clearly marked by a contrasting color marking pen or paint, a name label or a steel stencil imprint to show the voltage.

- d) Outdoor apparatus and wiring. Electrical apparatus and wiring located outdoors shall be of such quality and so constructed or protected that exposure to weather will not interfere with its normal operation.

- e) Grounding:

- 1) Five wire electrical systems shall be grounded at the main power generator or main distribution panel. The neutral wire and equipment ground shall not be bonded together at any ride.

- 2) All other electrical systems shall have individual ground rods connected to the ride frame. The neutral wire and equipment ground shall not be bonded together at any ride.

- 3) Sufficient electrodes to achieve 25 ohms or less resistance to ground shall be utilized.

- 4) Any motor operating on 50 or more volts shall have its frame grounded.

- f) Overcurrent Protection. Conductors shall be provided with overcurrent protection devices according to load. No such device shall be

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

installed in neutral or grounding conductors.
g) Receptacles and caps. All receptacles and attachment caps shall be of the grounding type.

h) Each amusement ride or amusement attraction not designed to be controlled directly by the passenger shall be provided with a fused power disconnect switch placed within arms length of the operator attendant's station.

i) Safety stop circuits:

1) The resumption of operation after a system shutdown caused by loss of power or activation of a safety circuit or stop shall require manual restarting by the operator attendant.

2) Safety circuits shall not be bypassed during operation.

j) Emergency lighting. Effective January 1, 1986, if an amusement ride or amusement attraction requires a darkened interior during operation each building or structure shall be equipped with a battery powered emergency lighting system. In addition to a manual switch at the operator attendant's station, the system shall activate automatically when either a power failure occurs or the smoke and fire detection alarm sounds.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 6000.250 Wire Rope

a) Wire rope used on amusement rides and amusement attractions shall be thoroughly examined periodically per amusement ride manufacturers specifications.

b) Wire rope found damaged shall be replaced with new wire rope conforming to specifications set forth by the ride manufacturer. Any of the following conditions shall be cause for wire rope replacement:

1) In running ropes, 6 randomly distributed broken wires in 1 rope lay, or three broken wires in 1 strand in 1 rope lay. A rope lay being the length along the rope required for one strand to make one revolution around the rope.

2) In pendants or standing ropes, (ropes bearing the entire load and or subjected to constant pressure and or shock loading) evidence of more than 1 broken wire and in 1 rope lay.

3) Abrasion, scrubbing or peening causing loss of more than 1/3 of the original diameter of the outside wires.

4) Corrosion which results in surface pitting on the wires.

5) Kinking, crushing, birdcaging, or other damage resulting in distortion of the rope structure causing some members of the rope structure carrying more load than others.

6) Heat damage.

7) Reduction from the normal diameter of the wire rope of more than 3/64 inch for diameters up to and including 3/4 inch; 1/16 inch for diameters over 3/4 inch up to and including 1 1/8 inches; 3/32 inch for diameters over 1 1/8 inches up to 1 1/2 inches.

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

8) Any rust that cannot be removed by wiping the wire rope with an oily rag or development of broken wires in the vicinity of attachments. If this condition is localized in an operating rope, the section in question may be eliminated by making a new attachment and

9) Wire ropes used to support, suspend, bear or control forces and weights involved in the movement and utilization of tubs, cars, chairs, seats, gondolas, other carriers, the sweeps, or other supporting members of an amusement ride shall not be lengthened or repaired by splicing.

c) When using U-bolt clips, the U section of each clip must contact the dead end or short end of the wire rope.

d) Mechanical devices, such as rollers, drums or sheaves, shall not have any chipping, unequal wear, surface roughness or deterioration in any area that contacts the wire rope.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 6000.260 Chain

a) Twisted wire or stamped chain is not permitted.

b) Chains with manufacturers certified load carrying capacities must be utilized for safety devices and stress bearing applications.

c) Any of the following shall be cause for chain replacement:

1) a) A 10% reduction in material diameter at the worn portion of the link.

2) a) A twisted or disfigured link.

3) ~~Physical~~ Physical deterioration of a link by strain, usage, rust or corrosion.

4) ~~Used~~ Used for a purpose other than that for which the manufacturer recommended.

5) ~~Used~~ Used to carry a load in excess of the manufacturers manufacturer's working load limit.

d) Cold Shuts, "S" hooks, repair and lap links, and other hardware grade attachments must be welded shut if used to support passengers.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 6000.270 Inflated Amusement Attractions and Inflated Buildings

a) Anchorage in accordance with the manufacturers specifications shall be provided for inflated amusement attractions and inflated buildings and examined daily.

b) The skin on inflated amusement attractions and inflated buildings shall be examined daily for rips and tears and those found shall be repaired immediately.

c) Ventilators and fans shall be shielded by one of the following

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

methods:

- 1) fencing Fencing around unit; or
- 2) mesh Mesh guarding over unit; or
- 3) total enclosure.
- d) Covered or enclosed inflated amusement attractions and buildings shall be so designed that if a power failure occurs the structure will remain substantially erect for more than the time required to evacuate the normal rated occupancy or five minutes whichever is the longer period.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 6000.280 Non-Destructive Testing

- a) The Operators owner or agent shall provide the Department with a certificate of non-destructive testing for each part which the manufacturer recommends testing or the Board requires to be tested.
- b) Persons performing non-destructive testing on amusement ride components shall be qualified to NDT Level II or NDT Level III, in accordance with the American Society for Nondestructive Testing Recommended Practice No. SNT-TC-1A. The American Society for Nondestructive Testing Recommended Practice No. SNT-TC-1A, 1984 Edition, is hereby incorporated by reference and does not include any later editions, amendments, or corrections. Only individuals qualified may perform non-destructive testing on amusement ride components. The Department may require qualifications certifications of personnel or accept previous qualification certifications at their option.

- c) The Board shall direct the Department to require the non-destructive testing of any part, which if failure were to occur, would result in a major breakdown. The Board shall designate the part(s) to be tested, the date by which the initial test certificate shall be submitted to the Department and the frequency at which the test is to be repeated.
- d) The Department shall maintain and disseminate a listing of all ride components requiring non-destructive testing. This list shall include the test specifications and frequency of testing. Such certificates are required for the following as of June-24-1988:

RIDE-NAME	COMPONENT	FREQUENCY
Round-Up	Main-boom-rocker-shaft	Semi-Annually
	Cylinder-anchor-shaft	as follows:
	Spindle	Per-Round-Up
		rides
		operating in
		Illinois on
		or between
		April-1 and
		September-30

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

the-NBQ-must
be-performed
after-March
22-and-before
operation.
Briess-at-the
time-of-the-NBQ
inspection-the
Department-places
a-seal-upon-the
ride-prohibiting
the-assembly-and
operation-until
the-department
removes-that
seal.
Per-Round-Up
rides
operating-in
Illinois-on
or-between
October-1-and
March-31-the
NBQ-must-be
performed
after
September-22
and-before
operation.

Coasters by Arrow-Huss	Welded-areas-of-track Anti-roll-back-units Chain-guide-wheel-spindles Axle-housings Wheel-carrier-weights Chassis-main-vertical-spindle Body-support-frame Hitch-yoke	Annually
Enterprise	Bearing-block-holders Car-structure-parts of-the-roof-and-parts above-at7-and-below pivot-pins, and-for cracks-in-the-welds of-these-parts-and the-welds-that attach-these-parts.	Annually

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

Fireball	Spindle	Every-2-Years
Perce-10	Car-Hanger-Shaft	Annually
Hustler	Secondary-sweep-shafts	Annually
Octopus	Eccentric	Annually
	Sweep-support-rods	
Paratrooper	Spindle	Every-2-Years
Sky-Wheel	All-Axles	Annually
Spider	Eccentric	Annually
	Sweeps	
	Sweep-support-rods	
Tempest	Secondary-sweep-shafts	Annually
Yo-Yo	Sweep-lift-cylinder	Every-5-Years

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 6000.290 Ski Lifts, Aerial Tramways, and Rope Tows

a) The provisions of ANSI Standard B-77.1, 1982-and-ANSI-Standard-B77.1-1986-supplement-are 1992, is hereby incorporated by reference and does not include any later editions, amendments or corrections.

b) New construction Construction must be registered with the Department before installation is commenced. This registration shall provide the name and mailing address of each the operator owner or agent, the location of the installation, the design and location information cited in the section of the ANSI Standard B77.1 that is applicable to the type of installation being registered.

2) The movement of an existing installation to a new location shall be considered new construction.

3) A newly constructed aerial tramway shall be subjected to an acceptance test and inspection as defined in the ANSI Standard B77.1 for the installation being inspected before the installation is used by the public. These tests shall be witnessed by the Department.

4) Engineering and architectural work shall be performed by or under the supervision of a licensed professional engineer.

c) Inspection, Operation, Maintenance and Repair

1) After accidental activation of a safety stop or gate, the operator attendant shall make an inspection to determine the

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

cause. No safety stop or gate may be installed which will allow automatic restart. The operator attendant shall physically restart the tramway.

2) Debris and foreign material shall not be allowed on, in, under, or around a passenger tramway. Spillage or leakage of grease, gasoline, oil, or other petroleum products shall be immediately cleaned up and, if due to mechanical fault, the fault shall be corrected.

3) Each snow-grooming and other authorized vehicles, except a snowmobile, shall conspicuously display a flashing or rotating yellow light when the vehicle is on, or in the vicinity of, a passenger tramway or tow. A snowmobile shall be permitted in the vicinity of a passenger tramway or tow only in emergency situations and must have a least one operating white light or flashing beacon on the front of the snowmobile.

4) No attendant or assistant may act as ticket seller or receive money while the aerial tramway is in operation.

d) Any aerial tramway malfunction that results in evacuation of passengers shall be considered a major breakdown. The Department shall be notified within 24 hours after the occurrence by telephone or other means of immediate communication. The operator owner or manager shall confirm in writing to the Director all such incidents within 48 hours after the occurrence of the incident.

e) Any serious injury or fatality resulting from the operation of an aerial tramway or tow shall be handled as required by Section 6000.160.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 6000.300 Go-Karts, Dune Buggies, and All-Terrain Vehicles

a) Vehicle Requirements

1) All vehicles shall be equipped with passenger padding, including, but not limited to, steering wheel pad, headrest pad, steering wheel support post and seat cushions.

2) All vehicles shall be guarded to prevent interlocking of wheels during operation.

3) All vehicles equipped with seat belts shall be equipped with a rollbar or similar device that is rigid, attached to the vehicle frame, and extends above the passenger's head.

4) The maximum speed for a mini-racer or a vehicle that is strictly used by children is eight m.p.h.

5) The engine governor will be set equal to, or less than, the maximum speed at which an inspector can safely maneuver a vehicle at full throttle through each curve of the track or course without the loss of traction or control.

6) Vehicles shall be equipped with a guarding system that covers or encloses all rotating parts of the drive mechanism except the

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

tires. The guarding system shall also cover the exhaust system to protect the passenger when entering or exiting the vehicle.

- 7) Vehicles' fuel tanks shall be mounted and/or guarded in such a manner that provides protection to the passenger during operation and if an accident should occur.

- 8) Wheels shall be retained by a castellated nut and cotter pin or other positive method.

b) Track and Course Requirements

- 1) The surface of the track or course used by Go-Karts shall be of a solid and binding material, such as concrete or asphalt.

- 2) Minimum width requirements for Go-Kart Tracks: Effective January 1, 1990:

- A) For operations that do not allow the racing or the passing of vehicles, a minimum of four vehicle widths shall be maintained throughout the entire course or track.

- B) For operations that allow racing and/or passing of vehicles, a minimum of six vehicle widths shall be maintained throughout the entire course or track.

- 3) A barrier system shall be installed around the inner and outer edges of the track or course used by Go-Karts and shall extend the entire length of the track or course. The system may be a guard rail, rubber tires, a runoff strip or embankment of friable earth or gravel or a combination thereof.

- A) When rubber tires are used for a barrier system, these tires shall be free of the rims and/or wheels.

They shall be fastened together to form a continuous train. Tires shall never be stacked over two high.

- B) If a metal or fiberglass rail is used as the barrier system, the rail surface shall be kept free of sharp or protruding edges or seams and shall be maintained so that there is no loose or unsecured areas.

- C) A barrier system shall be installed to designate and protect the pit area or passenger loading area.

- 4) A fence or railing system shall be installed at maintenance buildings, driveways, pit area, and fuel storage pumping areas to keep patrons awaiting rides and spectators from entering these track areas without the permission of, or direction by the track personnel.

- 5) No intersecting Figure 8 track or course configurations shall be permitted.

c) Operation

- 1) The attendant(s) or assistant(s) shall be able to clearly view the entire course.

- 2) Fire extinguishers shall be charged and readily available to the track personnel at all times.

- 3) The refueling of the vehicles shall take place in the pit area. All storage containers of gasoline and other flammables shall be in accordance with Section 6000.190 - Fire Prevention and Protection.

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

- 4) During night time operation, track lighting is required.

- 5) A signal system shall be installed to safely alert the drivers of the vehicles to a caution situation or to stop the vehicles in case of an emergency. This signal system may consist of, but is not limited to, a hand held flag system or a set of lights visible to the drivers. The system shall be explained to the drivers before operating any vehicle.

- 6) A separate and distinct maintenance log shall be kept for each vehicle. The maintenance logs shall be kept on a daily basis and kept available for inspector review. All replacing of parts should be noted. A comment section should be provided to allow the attendant or mechanic to make performance checks. The track mechanic shall sign each log sheet indicating that the vehicle is ready to operate. This log shall contain, but not limited to, the following information:

- A) Brake Inspection;
- B) Tire wear and pressure;
- C) Steering inspection;
- D) Body inspection;
- E) Padding inspection;
- F) Lubrication and engine oil check; and
- G) Drive mechanism.

- 7) Only one patron per seat shall be permitted in each vehicle.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 6000.310 Water Slides

- a) The following Sections of 77 Ill. Adm. Code 820 are hereby incorporated by reference:
 - 1) 820.250(b) et seq. Water Slides
 - 2) 820.320 Water Quality

- b) Water Slide Design and Construction

- 1) All curves, turns, and tunnels on the path of a flume shall be designed and constructed so as not to present a hazard to anyone using the slide.

- 2) The flume shall be banked or safety walls provided to keep the slider's body inside the flume.

- 3) The construction, dimensions and the mechanical attachment of the flume components shall be such that the surface of the flume is smooth and continuous for its entire length.

- A) All parts that might come in contact with the slider's body shall be arranged or finished so that they will not constitute a cutting, pinching, puncturing, or abrasion hazard through either casual contact or intended use.

- B) Flumes and pools shall be watertight and their surfaces shall be chemically inert, nontoxic, smooth, and easy to clean.

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

- C) The flumes shall be designed and manufactured to prevent the accumulation of disinfectant fumes.
- D) Each flume shall have a distinctive line or flag marking the starting zone in which only one rider at a time is permitted. This line or flag shall be in accordance with the manufacturer's specifications or 30', whichever is the longer distance. A sign shall be posted at the top of the slide warning all sliders not to proceed down the slide until the slider in front of him has passed this point.
- 4) A method of voice communication shall be provided so that the plunge pool attendant can communicate with the attendant or the public at the start of the flume in order to supervise and to control traffic.
- 5) Machinery and chemical storage rooms shall be locked or fenced to prevent unauthorized entry.
- c) During the operating season the operator shall:
- 1) Make a daily inspection of each flume, checking for:
 - A) ~~loose~~ Loose railings;
 - B) ~~leaking~~ Leaking seals at joints;
 - C) ~~rough~~ Rough patching at cracks or joints;
 - D) ~~loose~~ Loose guards at turns;
 - E) ~~unusual~~ Unusual movement of flume bed when walked on;
 - F) ~~growth~~ Growth of algae;
 - G) ~~sharp~~ Sharp edges and rough surfaces on flume and safety rails;
 - H) ~~protection~~ Projection of any structure or plant growth near or into flume; and
 - I) ~~correct~~ Correct water levels.
 - 2) Weekly review the water quality log sheets for the previous week for compliance with 77 Ill. Adm. Code 820.320.
 - 3) Weekly inspect areas where chemicals are stored or dispensed checking for proper ventilation, lighting, cleanliness, proper labeling, and storage of chemicals.
 - 4) Not use any mat which is not pliable and in good condition.

d) Personnel

- 1) Attendants
 - A) One or more persons shall be stationed at the plunge pool to control traffic, to assist, and supervise all visible portions of the slide. This attendant shall be qualified in both first-aid and cardiopulmonary resuscitation techniques through the American Red Cross or equivalent training (for example YMCA or YWCA). One attendant at the plunge pool shall not be assigned other duties that would distract his/her attention from proper observation of persons in the plunge pool area or that would prevent immediate assistance to persons in distress.
 - B) When a continuous line of five or more people are waiting to use the slide, one or more attendants shall be on duty at the top of the slide to assist users, control timing of each

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

person on the slide and supervise all visible portions of the slide.

- 2) Any employee who may be exposed to toxic chemicals shall be trained per 56 Ill. Adm. Code 205.250 or 29 CFR 1900.1200, July 1, 1988, hereby incorporated by reference and does not include any later editions or amendments.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 6000.320 Dry Type Slides

a) Slide Design and Construction

- 1) Rigid supporting framework for slides shall be provided.
- 2) The means of access to the starting platform of the slide shall be designed, constructed and maintained so as not to present a hazard, such as cutting, pinching, puncturing, tripping or falling, to anyone using the slide.
- 3) The slide shall be banked or safety walls provided on curves to keep the slider's body on the slide.
- 4) The construction, dimensions, and the mechanical attachment of the slide components shall be such that the surfaces of the slide (slope, curves, turns and tunnels) are smooth and continuous for its entire length. All parts that might come in contact with the slider's body shall be arranged or finished so that they will not constitute a cutting, pinching, puncturing, or abrasion hazard through either casual contact or intended use.
- 5) A means of cushioning the rider's landing and/or stopping shall be provided.

b) During the operating season the operator manager shall:

- 1) Make a daily inspection, checking for:
 - A) Loose hand rails or steps on ladder or stairway;
 - B) Loose guard rails on slide;
 - C) Unusual movement of slide;
 - D) Sharp edges or rough surfaces on slide and safety rails;
 - E) Check all electrical circuits and lights for cracks, abrasions, exposed wiring, burned out bulbs, etc.; and
 - F) Condition of landing or stopping area.
 - 2) Not use any mat which is not pliable and in good condition.
- c) On slides requiring mats, the attendant(s) shall:
- 1) Regulate the spacing of sliders so that there are no collisions at the bottom of the slide;
 - 2) Make sure that all riders are sitting and positioned properly before sliding. All sliding should be done in an upright, sitting position. Absolutely no sliding should be done backwards or in a prone or standing position;
 - 3) Regulate the traffic up the steps;
 - 4) Instruct people to use handrails as they climb up the steps;
 - 5) Assist people to get up after completing their ride; and

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

tires. The guarding system shall also cover the exhaust system to protect the passenger when entering or exiting the vehicle.

- 7) Vehicles' fuel tanks shall be mounted and/or guarded in such a manner that provides protection to the passenger during operation and if an accident should occur.
- 8) Wheels shall be retained by a castellated nut and cotter pin or other positive method.

b) Track and Course Requirements

- 1) The surface of the track or course used by Go-Karts shall be of a solid and binding material, such as concrete or asphalt.
- 2) Minimum width requirements for Go-Kart Tracks: Effective January 1, 1990:

- A) For operations that do not allow the racing or the passing of vehicles, a minimum of four vehicle widths shall be maintained throughout the entire course or track.

- B) For operations that allow racing and/or passing of vehicles, a minimum of six vehicle widths shall be maintained throughout the entire course or track.

- 3) A barrier system shall be installed around the inner and outer edges of the track or course used by Go-Karts and shall extend the entire length of the track or course. The system may be a guard rail, rubber tires, a runoff strip or embankment of friable earth or gravel or a combination thereof.

- A) When rubber tires are used for a barrier system, these tires shall be free of the rims and/or wheels.

They shall be fastened together to form a continuous train. Tires shall never be stacked over two high.

- B) If a metal or fiberglass rail is used as the barrier system, the rail surface shall be kept free of sharp or protruding edges or seams and shall be maintained so that there is no loose or unsecured areas.

- C) A barrier system shall be installed to designate and protect the pit area or passenger loading area.

- 4) A fence or railing system shall be installed at maintenance buildings, driveways, pit area, and fuel storage pumping areas to keep patrons awaiting rides and spectators from entering these track areas without the permission of, or direction by the track personnel.

- 5) No intersecting Figure 8 track or course configurations shall be permitted.

c) Operation

- 1) The attendant(s) or assistant(s) shall be able to clearly view the entire course.

- 2) Fire extinguishers shall be charged and readily available to the track personnel at all times.

- 3) The refueling of the vehicles shall take place in the pit area. All storage containers of gasoline and other flammables shall be in accordance with Section 6000.190 - Fire Prevention and Protection.

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

- 4) During night time operation, track lighting is required.
- 5) A signal system shall be installed to safely alert the drivers of the vehicles to a caution situation or to stop the vehicles in case of an emergency. This signal system may consist of, but is not limited to, a hand held flag system or a set of lights visible to the drivers. The system shall be explained to the drivers before operating any vehicle.

- 6) A separate and distinct maintenance log shall be kept for each vehicle. The maintenance logs shall be kept on a daily basis and kept available for inspector review. All replacing of parts should be noted. A comment section should be provided to allow the attendant or mechanic to make performance checks. The track mechanic shall sign each log sheet indicating that the vehicle is ready to operate. This log shall contain, but not limited to, the following information:

- A) Brake Inspection;
- B) Tire wear and pressure;
- C) Steering inspection;
- D) Body inspection;
- E) Padding inspection;
- F) Lubrication and engine oil check; and
- G) Drive mechanism.

- 7) Only one patron per seat shall be permitted in each vehicle.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 6000.310 Water Slides

- a) The following Sections of 77 Ill. Adm. Code 820 are hereby incorporated by reference:
 - 1) 820.250(b) et seq. Water Slides
 - 2) 820.320 Water Quality

b) Water Slide Design and Construction

- 1) All curves, turns, and tunnels on the path of a flume shall be designed and constructed so as not to present a hazard to anyone using the slide.

- 2) The flume shall be banked or safety walls provided to keep the slider's body inside the flume.

- 3) The construction, dimensions and the mechanical attachment of the flume components shall be such that the surface of the flume is smooth and continuous for its entire length.

- A) All parts that might come in contact with the slider's body shall be arranged or finished so that they will not constitute a cutting, pinching, puncturing, or abrasion hazard through either casual contact or intended use.

- B) Flumes and pools shall be watertight and their surfaces shall be chemically inert, nontoxic, smooth, and easy to clean.

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

- C) The flumes shall be designed and manufactured to prevent the accumulation of disinfectant fumes.
- D) Each flume shall have a distinctive line or flag marking the starting zone in which only one rider at a time is permitted. This line or flag shall be in accordance with the manufacturer's specifications or 30', whichever is the longer distance. A sign shall be posted at the top of the slide warning all sliders not to proceed down the slide until the slider in front of him has passed this point.
- 4) A method of voice communication shall be provided so that the plunge pool attendant can communicate with the attendant or the public at the start of the flume in order to supervise and to control traffic.
- 5) Machinery and chemical storage rooms shall be locked or fenced to prevent unauthorized entry.
- c) During the operating season the operator shall:
- 1) Make a daily inspection of each flume, checking for:
 - A) ~~loose~~ Loose railings;
 - B) ~~leaking~~ Leaking seals at joints;
 - C) ~~rough~~ Rough patching at cracks or joints;
 - D) ~~loose~~ Loose guards at turns;
 - E) ~~unusual~~ Unusual movement of flume bed when walked on;
 - F) ~~growth~~ Growth of algae;
 - G) ~~sharp~~ Sharp edges and rough surfaces on flume and safety rails;
 - H) ~~projection~~ Projection of any structure or plant growth near or into flume; and
 - I) ~~correct~~ Correct water levels.
 - 2) Weekly review the water quality log sheets for the previous week for compliance with 77 Ill. Adm. Code 820.320.
 - 3) Weekly inspect areas where chemicals are stored or dispensed checking for proper ventilation, lighting, cleanliness, proper labeling, and storage of chemicals.
 - 4) Not use any mat which is not pliable and in good condition.
- d) Personnel
- 1) Attendants
 - A) One or more persons shall be stationed at the plunge pool to control traffic, to assist, and supervise all visible portions of the slide. This attendant shall be qualified in both first-aid and cardiopulmonary resuscitation techniques through the American Red Cross or equivalent training (for example YMCA or YWCA). One attendant at the plunge pool shall not be assigned other duties that would distract his/her attention from proper observation of persons in the plunge pool area or that would prevent immediate assistance to persons in distress.
 - B) When a continuous line of five or more people are waiting to use the slide, one or more attendants shall be on duty at the top of the slide to assist users, control timing of each

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

- person on the slide and supervise all visible portions of the slide.
- 2) Any employee who may be exposed to toxic chemicals shall be trained per 56 Ill. Adm. Code 205.250 or 29 CFR 1900.1200, July 1, 1988, hereby incorporated by reference and does not include any later editions or amendments.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 6000.320 Dry Type Slides

- a) Slide Design and Construction
- 1) Rigid supporting framework for slides shall be provided.
 - 2) The means of access to the starting platform of the slide shall be designed, constructed and maintained so as not to present a hazard, such as cutting, pinching, puncturing, tripping or falling, to anyone using the slide.
 - 3) The slide shall be banked or safety walls provided on curves to keep the slider's body on the slide.
 - 4) The construction, dimensions, and the mechanical attachment of the slide components shall be such that the surfaces of the slide (slope, curves, turns and tunnels) are smooth and continuous for its entire length. All parts that might come in contact with the slider's body shall be arranged or finished so that they will not constitute a cutting, pinching, puncturing, or abrasion hazard through either casual contact or intended use.
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 - B) Loose guard rails on slide;
 - C) Unusual movement of slide;
 - D) Sharp edges or rough surfaces on slide and safety rails;
 - E) Check all electrical circuits and lights for cracks, abrasions, exposed wiring, burned out bulbs, etc.; and
 - F) Condition of landing or stopping area.
 - 2) Not use any mat which is not pliable and in good condition.
- c) On slides requiring mats, the attendant(s) shall:
- 1) Regulate the spacing of sliders so that there are no collisions at the bottom of the slide;
 - 2) Make sure that all riders are sitting and positioned properly before sliding. All sliding should be done in an upright, sitting position. Absolutely no sliding should be done backwards or in a prone or standing position;
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 - 4) Instruct people to use handrails as they climb up the steps;
 - 5) Assist people to get up after completing their ride; and

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

tires. The guarding system shall also cover the exhaust system to protect the passenger when entering or exiting the vehicle.

7) Vehicles' fuel tanks shall be mounted and/or guarded in such a manner that provides protection to the passenger during operation and if an accident should occur.

8) Wheels shall be retained by a castellated nut and cotter pin or other positive method.

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- A) When rubber tires are used for a barrier system, these tires shall be free of the rims and/or wheels. They shall be fastened together to form a continuous train. Tires shall never be stacked over two high.

- B) If a metal or fiberglass rail is used as the barrier system, the rail surface shall be kept free of sharp or protruding edges or seams and shall be maintained so that there is no loose or unsecured areas.

- C) A barrier system shall be installed to designate and protect the pit area or passenger loading area.

- 4) A fence or railing system shall be installed at maintenance buildings, driveways, pit area, and fuel storage pumping areas to keep patrons awaiting rides and spectators from entering these track areas without the permission of, or direction by the track personnel.

- 5) No intersecting Figure 8 track or course configurations shall be permitted.

c) Operation

- 1) The attendant(s) or assistant(s) shall be able to clearly view the entire course.
- 2) Fire extinguishers shall be charged and readily available to the track personnel at all times.
- 3) The refueling of the vehicles shall take place in the pit area. All storage containers of gasoline and other flammables shall be in accordance with Section 6000.190 - Fire Prevention and Protection.

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

- 4) During night time operation, track lighting is required.
- 5) A signal system shall be installed to safely alert the drivers of the vehicles to a caution situation or to stop the vehicles in case of an emergency. This signal system may consist of, but is not limited to, a hand held flag system or a set of lights visible to the drivers. The system shall be explained to the drivers before operating any vehicle.

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- B) Tire wear and pressure;
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- D) Body inspection;
- E) Padding inspection;
- F) Lubrication and engine oil check; and
- G) Drive mechanism.

- 7) Only one patron per seat shall be permitted in each vehicle.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 6000.310 Water Slides

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 - 1) 820.250(b) et seq. Water Slides
 - 2) 820.320 Water Quality

- b) Water Slide Design and Construction

- 1) All curves, turns, and tunnels on the path of a flume shall be designed and constructed so as not to present a hazard to anyone using the slide.

- 2) The flume shall be banked or safety walls provided to keep the slider's body inside the flume.

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- B) Flumes and pools shall be watertight and their surfaces shall be chemically inert, nontoxic, smooth, and easy to clean.

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

- C) The flumes shall be designed and manufactured to prevent the accumulation of disinfectant fumes.
- D) Each flume shall have a distinctive line or flag marking the starting zone in which only one rider at a time is permitted. This line or flag shall be in accordance with the manufacturer's specifications or 30', whichever is the longer distance. A sign shall be posted at the top of the slide warning all sliders not to proceed down the slide until the slider in front of him has passed this point.
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- 5) Machinery and chemical storage rooms shall be locked or fenced to prevent unauthorized entry.

c) During the operating season the operator shall:

- 1) Make a daily inspection of each flume, checking for:
 - A) ~~loose~~ Loose railings;
 - B) ~~leaking~~ Leaking seals at joints;
 - C) ~~rough~~ Rough patching at cracks or joints;
 - D) ~~loose~~ Loose guards at turns;
 - E) ~~unusual~~ Unusual movement of flume bed when walked on;
 - F) ~~growth~~ Growth of algae;
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 - H) ~~projection~~ Projection of any structure or plant growth near or into flume; and
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- 2) Weekly review the water quality log sheets for the previous week for compliance with 77 Ill. Adm. Code 820.320.
- 3) Weekly inspect areas where chemicals are stored or dispensed checking for proper ventilation, lighting, cleanliness, proper labeling, and storage of chemicals.
- 4) Not use any mat which is not pliable and in good condition.

d) Personnel

- 1) Attendants
 - A) One or more persons shall be stationed at the plunge pool to control traffic, to assist, and supervise all visible portions of the slide. This attendant shall be qualified in both first-aid and cardiopulmonary resuscitation techniques through the American Red Cross or equivalent training (for example YMCA or YMCA). One attendant at the plunge pool shall not be assigned other duties that would distract his/her attention from proper observation of persons in the plunge pool area or that would prevent immediate assistance to persons in distress.
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CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

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(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 6000.320 Dry Type Slides

a) Slide Design and Construction

- 1) Rigid supporting framework for slides shall be provided.
- 2) The means of access to the starting platform of the slide shall be designed, constructed and maintained so as not to present a hazard, such as cutting, pinching, puncturing, tripping or falling, to anyone using the slide.
- 3) The slide shall be banked or safety walls provided on curves to keep the slider's body on the slide.
- 4) The construction, dimensions, and the mechanical attachment of the slide components shall be such that the surfaces of the slide (slope, curves, turns and tunnels) are smooth and continuous for its entire length. All parts that might come in contact with the slider's body shall be arranged or finished so that they will not constitute a cutting, pinching, puncturing, or abrasion hazard through either casual contact or intended use.
- 5) A means of cushioning the rider's landing and/or stopping shall be provided.

b) During the operating season the operator manager shall:

- 1) Make a daily inspection, checking for:
 - A) Loose hand rails or steps on ladder or stairway;
 - B) Loose guard rails on slide;
 - C) Unusual movement of slide;
 - D) Sharp edges or rough surfaces on slide and safety rails;
 - E) Check all electrical circuits and lights for cracks, abrasions, exposed wiring, burned out bulbs, etc.; and
 - F) Condition of landing or stopping area.
- 2) Not use any mat which is not pliable and in good condition.
- c) On slides requiring mats, the attendant(s) shall:
 - 1) Regulate the spacing of sliders so that there are no collisions at the bottom of the slide;
 - 2) Make sure that all riders are sitting and positioned properly before sliding. All sliding should be done in an upright, sitting position. Absolutely no sliding should be done backwards or in a prone or standing position;
 - 3) Regulate the traffic up the steps;
 - 4) Instruct people to use handrails as they climb up the steps;
 - 5) Assist people to get up after completing their ride; and

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

- 6) Collect the sliding mats ~~if mats are used~~.
- d) On slides over 25' to the platform, a minimum of two attendants must be used.
- 1) The attendant(s) at the top of the slider shall:
 - A) Regulate the spacing of sliders so that there are no collisions at the bottom of the slider; and
 - B) Make sure that all riders are sitting and positioned properly before sliding. All sliding should be done in an upright, sitting position. Absolutely no sliding should be done backwards or in a prone or standing position.
 - 2) The attendant(s) at the bottom of the slider shall:
 - A) Regulate the traffic up the steps; and
 - B) Instruct people to use handrails as they climb up the steps; and
 - C) Assist people to get up after completing their ride; and
 - D) Collect the sliding mats if mats are used.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 6000.330 Trams

- a) If the tram is used where other vehicular traffic is present, each car shall be equipped so as to prevent passengers from getting on or off except at designated stops.
- b) Each tram car shall be equipped with a signal system complying to Section 6000.140.
- c) The driver shall not start the tram until all passengers are seated.
- d) The maximum allowable side to side motion when the tram is in motion shall not exceed six inches.
 - 1) To keep the tram together; and
 - 2) To keep the wagon tongue from hitting the ground.
- f) Any axle extending beyond the face of the wheel shall be covered and/or guarded with a non-rotating shield.
- g) Passengers shall not have to step up or down more than 12 inches to enter or exit the car.
- h) Each loading/unloading area shall be fenced or otherwise guarded.
- i) If tram is operated after dusk, it shall be equipped with head, side and tail lights and loading/unloading area shall be suitably illuminated with either natural or artificial light to assure safe access and egress.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 6000.340 Bungee Jumping

This rule specifies the site, site approval, design, testing of equipment,

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

management of the operation, operating procedures, emergency provisions and procedures for Bungee Jumping from any mechanical operated platforms that carry jumpers to the top of the structure.

- a) In addition to the definitions in Section 6000.10, the following shall apply:

"AIR BAG" - means an inflated device which cradles the body, with an air release breather system that dissipates the energy due to fall, thereby allowing the person to land without an abrupt stop or bounce.

"ANKLE-BINDING" - means a harness used to wrap and hold together the jumper's ankles and attach the jumper to the bungee cord.

"BINDING OF CORD" - means a material used to hold the cord threads in place. May also protect the cord threads from damage.

"BUNGEE CORD" - means the elastic rope to which the jumper is attached. It lengthens and shortens and thus produces the bouncing action.

"BUNGEE JUMPING" - means that activity in which a person free falls from a height and the person's descent is limited by attachment of the person to the bungee cord.

"CARABINERS" - means shaped metal or alloy device used to connect sections of the jump rigging, equipment or safety gear.

"CATAPULTING" - means that the jumper is held on the ground while the bungee cord is stretched. On release, the jumper is propelled upwards.

"CORD" - See Bungee Cord.

"DOUBLE JUMPING" - See Tandem Jumping.

"DYNAMIC LOADING" - means the load placed on the rigging and attachments by the initial free fall of the jumper and the bouncing movements of the jumper.

"EQUIPMENT" - means the equipment, power or manually operated, used to raise, lower and hold loads.

"INCIDENT" - means an event that could or does result in harm to a person or damage or loss of process (jumping interrupted or stopped).

"JUMP DIRECTION" - means the direction (forward or backward) in which a jumper is designed to jump from the jump point.

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

"JUMP HEIGHT" - means the distance from the jump platform to the bottom of the jump zone.

"JUMP MASTER" - means a person who has responsibility for the bungee jumping operation and who takes a jumper through the final stages to the actual jump.

"JUMP OPERATOR" - means a person who assists the jump master to prepare a jumper for jumping and operates the lowering system to lower the jumper to the landing pad.

"JUMP POINT" - means the position from which the jumper begins to fall or jump.

"JUMP SPACE" - means the jump zone plus a safety factor in all directions.

"JUMP ZONE" - means the space bounded by the maximum designed movements of the jumper or any part of the jumper.

"JUMPER" - means the person who falls or jumps from a height attached to a bungee cord.

"JUMPER SAFETY HARNESS" - means an assembly to be worn by a jumper and to be attached to a bungee cord. It is designed to prevent the patron becoming detached from the bungee cord.

"JUMPER WEIGHT" - means the weight of the jumper only.

"LANDING AREA" - means the surface area of air bag or water directly under the jump space.

"LANDING PAD" - means a padded area on which the jumper lands by means of the lowering appliance or equipment.

"LATERAL DIRECTION" - means movement of the jumper measured at 90 degrees to the designed jump direction.

"LAUNCHING" - See Catapulting.

"LICENSED PROFESSIONAL ENGINEER" - means an individual who holds a valid license as a licensed professional engineer by the Illinois Department of Professional Regulation or comparable authority in another state.

"LOADED LENGTH" - means the length of the bungee cord when extended to its fullest designed length.

"MOUSED" - means a binding around the point and shank of a hook

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

to prevent it from slipping off.

"OPERATING SYSTEM" - means the system of processing a jumper through the jump methods used on a particular site. This includes registration, preparation, getting to the jump point, methods of attachment, the rigging and lowering system and the landing recovery method.

"OPERATING MANUAL" - means a document containing the procedures and forms for the operation of the bungee jumping activity and equipment on the site.

"PLATFORM" - means the area attached to a lifting appliance from which the jumper falls or jumps.

"PREPARATION AREA" - means the area where the jumper is prepared for jumping. It is a separate area on the ground.

"RECOVERY AREA" - means an area beside the landing area where the jumper may recover from the jump before returning to the public area.

"REVERSE JUMPING" - See Catapulting.

"RIGGING SYSTEM" - means a combination of components that connects the jumper to the lifting point or hook of the appliance. The rigging system includes ropes, pulleys, carabiners, shackles and lowering equipment.

"SAFE WORKING LOAD (SWL)" - means the maximum rated load which can be safely handled under specified conditions, by a machine, equipment or component of the rigging.

"SAFETY FACTOR" - means the ratio obtained by dividing the breaking load of any piece of equipment by its working load.

"SAFETY HARNESS" - means an assembly to be worn by an operator. It is designed to be attached to a safety line and to prevent the operator from falling.

"SAFETY LINE" - means a line used to connect safety harness or belt to an anchorage point or rail.

"SAFETY SPACE" - means the space extending beyond the jump zone as a safety factor. That is, a space beyond the maximum designed movements of the jumper.

"SANDBAGGING" - is the practice of a jumper holding onto any object (including another person) while jumping off of a platform

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

and during the initial descent, for the purpose of exerting more force on the bungee cord in order to stretch it further and then releasing the object at the bottom of the jump, causing the jumper to rebound with more force than could be created by the jumper's weight alone.

"STUNT JUMPING" - is the combining of any other activity with bungee jumping; or, bungee jumping with a disregard for clearances with the ground or other structures.

"TANDEM JUMPING" - means the practice of two people harnessed together while jumping simultaneously from the same jump platform.

"THREAD" - means a single strand of material used in a bungee cord. A bungee cord is constructed of a varying number of threads.

"UNLOADED LENGTH" - means the length of the bungee cord laid on a horizontal flat surface without load or stress applied.

b) SITE AND OPERATING APPROVAL

1) Site Plan and Equipment Design and Construction:

A) A licensed professional engineer's report that the design and construction of the structures, equipment, and operating areas meet the engineering requirements of ANSI B30.5-1989, ANSI B30.5-1991, Addenda to 1989, 29 CFR 1910.180-July 1, 1991, and 29 CFR 1926.550(g)-July 1, 1991. These standards are hereby incorporated by reference and do not include any later editions, amendments or corrections, and are considered suitable for a bungee jumping operation. The report shall contain site plans, safety zones, drawings and specifications of equipment, platform, rigging system and safety equipment and be submitted to the Department prior to construction.

B) An engineering evaluation shall be conducted annually and each time a major component is modified.

C) The Department shall maintain the confidentiality of the engineer's report as authorized by Section 76 7(1)(g) of the Freedom of Information Act (Ill. Rev. Stat. 1991, ch. 116, par. 207g) [5 ILCS 140/7(1)(g)].

2) Jumps shall be done only under the direct control of a jump master.

3) Owners shall maintain a bottom safety space of at least 60 inches above the air bag, safety net or water surface and a side safety space of at least 40 feet in all directions to any structure.

4) Prohibited Activities include: bungee catapulting, tandem jumping, stunt jumping, reverse jumping, launching and sandbagging.

c) PLATFORM

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

- 1) The platform and its lifting appliance shall meet the requirements for working platforms. All components shall have a safety factor of not less than three (3). The safe working load shall be marked on the platform.
- 2) The jump rigging shall be attached directly to the lifting point or hook of the appliance.
- 3) The jump rigging shall pass through or around the platform in such a way as to prevent damage to the jump rigging.
- 4) The platform for jumping shall be a constant height above the ground or surface. That is, adjustments for the weight of each jumper shall be made by the jump master's selection of bungee cord in accordance with the manual and the manufacturer's specification for the cord.

5) The platform shall have a non-slip floor surface.

6) The platform shall have sufficient working space for the required number of persons.

7) There shall be a gate across the jump point until the platform reaches the jump height.

8) The platform shall have anchor points for safety harnesses or safety belts for all persons carried on the platform.

9) All persons on the platform shall wear a safety harness and safety line. The jumper shall use a safety line until ready to jump.

10) There shall be an alternative method of jumper recovery should the main lowering system fail to lower the jumper.

11) The design of the platform and support straps shall provide for maximum stability of the platform.

12) The position of the jump point in relation to the equipment or platform shall be controlled to enable the jump to be in the designed direction. This shall be at 90 degrees (± 10) to the equipment or platform.

13) All hooks, shackles and pins shall be moused.

14) The maximum wind speed and direction for the operation of the bungee jump shall be stated in the operation manual. The decision to operate is the responsibility of the equipment operator and jump master.

15) The jump master shall check the following daily:

A) The equipment has a current certificate to operate;

B) The wire rope shall be given a visual inspection;

C) All hooks, shackles and pins are moused;

D) All outriggers are full extended;

E) There are established lines of communication between the jump platform and the equipment operator, and between the equipment operator and the ground;

F) The hand signals required for visual communication between the person directing the equipment or lifting appliance and the equipment or lifting appliance operator are known by all parties; and

G) That the equipment operator knows who is directing the

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

equipment.

d) BUNGEE CORD REQUIREMENT

- 1) The cord shall be designed and tested to perform within prescribed limits of stretch and load as stated in this Section.
- 2) The cord shall be made from natural or synthetic rubber or blends thereof that may be of various dimensions.
- 3) The materials used in the construction of the cord shall be such that the stretched length is consistent each time the same loading is applied.
- 4) Cord binding.

- A) The binding shall hold the cord threads together in their designed positions.
- B) The binding material shall have characteristics/specifications as approved by the manufacturer of the bungee cord.
- C) The cord bindings shall be intact.

- D) When bindings break during a day's operation, the cord shall be withdrawn from use until the bindings are replaced.

5) Shock load on the jumper. The following requirements apply:

- A) The cord shall stretch in the jump to at least 2.5 times its unloaded length in its designed jumper weight range;
- B) The unloaded length of the rigging system shall be less than half the designed extended length;
- C) Maximum loaded length. The operating length of a bungee cord at its maximum designed dynamic load shall not exceed 4 times its unloaded length.

6) Testing of a new design of bungee cord.

- A) Each manufacturer shall supply specifications for the cords being used.

- B) Any change in specifications, including, but not limited to, changes that affect the performance of the bungee threads or cord, a change to the end attachments, a change in the material, source of supply or manufacturer, manufacturing methods, or equipment, shall constitute a new design and require review by a licensed professional engineer.

C) Bungee cord end attachment.

- i) Each end of the cord shall have an end attachment to connect the cord to the rigging and the jumper.
- ii) The end attachment shall be of sufficient size and shape to allow easy attachment to the jumper harness and to the rigging.
- iii) The end attachment shall have a minimum breaking load of at least 4,400 pounds.

- 7) The maximum allowable life of the cord shall not exceed the manufacturer's specification.

- 8) A cord and its non-metallic connectors shall be withdrawn from use when the cord reaches its stated jump life.

- 9) Early withdrawal of the cord and its non-metallic connectors shall be required when:

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

- A) The exposure to daylight exceeds 250 hours. This criteria does not apply when the cord cover or sleeve fully protects all of the cord from visible and ultra-violet exposure;
- B) The time since the cord was manufactured is greater than 6 months;
- C) There is evidence of threads exhibiting wear, such as bunched threads or uneven tension between threads or thread bands;
- D) Broken threads exceed 5% of the total number over the length of the cord;
- E) As the bungee cord stretches over the course of its jump life, the dynamic load required to extend the bungee to four times its unloaded length will reduce. When this dynamic load reduces to less than the maximum designed dynamic load, the cord shall be destroyed;
- F) It has been in contact with solvents, corrosive or abrasive substances;
- G) An incident occurs that could result, immediately or in due course, in a substantial substandard performance of the cord or its attachments;
- H) Any discolorations are found; or
- I) Any other flaws are found.

- 10) A cord withdrawn from use shall be destroyed. A bungee cord is considered to be destroyed when it is cut into lengths of 5 feet or less.

- 11) Daily testing. Before starting and during the day's operations, the jump master shall:

- A) Visually inspect the entire length and circumference of the bungee cord for signs of wear. The inspection shall be repeated at least 4 times during daily operation and recorded;

- B) Visually check the bungee cord if the extended dynamic or static length changes during jumping; and

- C) When unexpected changes in bungee cord performance occur, remove the bungee cord from service immediately and destroy it.

e) JUMPER SAFETY HARNESS AND ANKLE BINDINGS

- 1) Jumper safety harness shall be either a full body harness, a sit harness with shoulder straps, or ankle bindings.

- 2) Jumper safety harness shall be available to fit the range of patron sizes accepted for jumping.

- 3) The ankle binding shall have been designed as an ankle harness and securely bind the jumpers ankles and secure the patron to the cord. The ankle binding shall not cause bruising and must provide evidence of redundancy.

- 4) The jumper safety harness shall be designed for the type of stress expected during operation.

- 5) The jumper safety harness shall be approved by the licensed professional engineer who conducts the annual inspection.

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

f) ROPES

All ropes for holding and/or lowering the jumper shall have a breaking load of at least 4,400 pounds.

g) HARDWARE

- 1) Carabiners shall be of the screw gate type with a minimum breaking load of 4,400 pounds.
- 2) Pulleys and shackles shall have a minimum breaking load of 4,400 pounds.

3) All pulleys shall be compatible with the rope size.

- 4) Webbing shall be of flat tubular mountaineering webbing or equivalent with a minimum breaking load of 4,400 pounds.

h) LIFE LINES AND HARNESES

- 1) A safety harness and life line shall be used by all persons on the platform.

2) Life lines shall have a minimum breaking load of 4,400 pounds.

- 3) A life line shall be worn by the jumper until ready to jump.

i) TESTING AND INSPECTION

- 1) All jump rigging shall be inspected and tested daily. Harnesses, lowering/braking system and safety gear shall be inspected daily as set out in the manual. Inspections, findings and action shall be recorded.

2) All jump rigging, harnesses, lowering/braking systems and safety gear shall be of a load rating at least equal to the standard stated in the regulation.

- 3) Hardware subject to abnormal loadings, being impacted against hard surfaces or having surface damage, shall be replaced.

4) Ropes subject to abnormal shock load shall be replaced.

- 5) All ropes, webbing and bindings shall be inspected visually and by feel for signs of wear, fraying, or damage by erosive substances. Criteria for planned inspection shall be included in the manual.

6) Criteria for the periodic replacement of ropes, webbing, harnesses and hardware shall be included in the manual.

j) REPLACEMENT OF RIGGING AND EQUIPMENT

- 1) At the beginning of each day's operation, replacements of at least the following equipment shall be available on site:

A) Bungee cord or cords;

B) Rigging hardware;

C) Ankle binding for jumpers;

D) Body safety harness for jumpers and staff; and

E) Safety lines and clips.

- 2) Any items of equipment, rigging or personal protective equipment found to be sub-standard shall be replaced immediately.

3) Jumping shall cease immediately when a sub-standard item cannot be replaced.

k) IDENTIFICATION OF EQUIPMENT, RIGGING, BUNGEE CORD AND SAFETY EQUIPMENT

- 1) Each item shall have its own unique permanent identification number and/or tag.

2) The identification shall not harm the material of the item.

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

- 3) The identification shall be clearly visible to the operators during daily operations.

4) The identification of each item shall be recorded in the items log sheet.

- 5) The cords shall be color coded as described in the on site operations manual.

1) LANDING/RECOVERY AREA

1) Over Land:

A) The area shall be free of spectators at all times;

B) The area shall be free of staff and equipment except for air bag or safety net when a jumper is being prepared on the jump platform and until the bungee cord is at its static extended state;

C) The air bag or safety net shall be in position before jumper preparation commences on the platform;

D) The air bag or safety net shall be at least 18 feet by 25 feet and rated for the maximum free fall height possible from the platform during operation;

E) The jumper shall be lowered onto a clean, smooth, padded surface;

F) The jumper shall be allowed to recover before moving off the landing spot; and

G) A place to sit and recover should be provided close to, but outside, the landing area.

2) Over Water:

A) Where the jump space and/or landing area is over pond, lake, river or harbor waters, the following shall apply:

- i) The jump space and/or landing area shall be free of other vessels except landing/recovery vessel, floating and submerged objects and the public, and, when in open waters shall be defined by the deployment of buoys. A sign of at least 1 foot by 3 feet in dimension which reads "BUNGEE JUMPING KEEP CLEAR" shall be fixed to the shore structure or land mass. When above moving water, a mesh or screen must be placed in an upstream position to keep floating debris from entering the landing area;

ii) The landing and recovery vessel shall be positioned accurately and remain in a constant position for the duration of the landing procedure;

iii) The landing vessel shall have a landing pad size of at least 5 feet by 5 feet;

iv) The landing pad shall be within and lower than the sides of the vessel;

v) A vessel shall be present that is able to be maneuvered in the range of water conditions expected and will enable staff to pick up a jumper or other person who has fallen into the water;

vi) One person may operate the landing vessel when the

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

vessel is positioned without the use of power. A separate person shall pilot the vessel when power is required to maneuver into and/or hold the landing position;

vii) The vessel shall be equipped as required by the US Coast Guard.

B) If the landing area is part of a constructed swimming pool complex, other pool, or is specially constructed for bungee jumping, the following shall apply:

- i) The pool size shall meet the requirements for jump space shown in the engineer's report;
- ii) Rescue equipment shall be available;
- iii) The jump space and side safety space shall be fenced to exclude the public; and
- iv) Only the operators of the bungee jump shall be within the jump space and landing areas.

C) The minimum water depth shall be 8 feet.

m) FENCES

1) Fences shall be designed and constructed to retain people, animals and objects outside the landing area.

2) All areas in which the jumper may land shall be fenced.

n) STORAGE

Adequate storage shall be provided both on site and off site to protect equipment from physical, chemical and ultra-violet ray damage. The storage shall be provided for current, replacement and emergency equipment organized for easy and orderly access. The storage shall be secure against unauthorized entry.

o) COMMUNICATION

1) The following shall apply within the site:

A) There shall be an electronic voice communication link between:

- i) The equipment operator and the platform;
 - ii) The platform and the landing/recovery area or vessel;
- B) All staff shall be easily identifiable by other operators and the public; and
- C) Instructions to jumpers and the public shall be put in positive terms to avoid misinterpretation and mistakes.

2) Emergency service:

There shall be a telephone communication link to the emergency service within 200 feet of the operation.

p) SAFETY AND LOSS CONTROL MANAGEMENT

1) A jump master shall be designated Safety, Health and Loss Control Coordinator. He/she shall hold a current Red Cross first aid rating and CPR certificate or their equivalent.

2) Training shall be provided to all staff relative to their present or future duties as part of the operating staff. A record of training shall be kept available on site for review by the Department.

3) Planned inspections shall be conducted of the site, equipment and

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

procedures by the jump master. The information gathered and the reporting and investigation of incidents shall be analyzed and reviewed by management, on a regular basis. Procedures, equipment, rigging and structures shall be designed to reduce the likelihood of any incidents occurring, or being repeated. All findings shall be forwarded to the Department.

4) A comprehensive emergency plan shall be developed for inclusion in the operations manual. The plan shall include the following elements: the steps necessary to rescue a jumper in case of crane failure or accident, emergency first aid to be given, contacting of and directing emergency service personnel to the site, crowd control, and notification to the Department.

5) The manual shall contain the site rules concerning the health and safety of employees and the public.

q) STAFF AND DUTIES

1) The minimum age for the crane operator and jump master shall be 21 years and for other staff members 18 years.

2) The staff of a bungee jumping operation shall include the following persons:

A) Site controller:

When more than one jump master is on the site, one of the jump masters shall also be designated controller. The site controller shall coordinate and be responsible and accountable for all operations;

B) Jump master:

- i) Has complete control when jumping is occurring;
- ii) Is the only person who takes the jumper through the final stages to the jump take-off;
- iii) Is responsible for the training of the other staff;
- iv) Shall have a thorough knowledge of the site, its equipment, procedures and staff;
- v) Selects the bungee cord and adjusts the rigging;
- vi) Shall be located on the platform;
- vii) Keeps a record of the number of times each cord has been used; and
- viii) Shall ensure that the number of jumps undertaken in a period of time allows the tasks of each job to be carried out to meet the requirements of each job, as set out in the manual.

C) Jump operator's duties include:

- i) Assisting the jump master to prepare the jumper;
 - ii) Attaching the jumper to ankle bindings or harness;
 - iii) Potentially attaching the jumper to rigging at the direction of the jump master;
 - iv) Carrying out check procedures;
 - v) Operating the lowering system; and
 - vi) Assisting in controlling the public.
- D) Landing/recovery operator's duties include:
- i) Assisting the jumper to land on the landing pad;

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

- ii) Assisting the jumper to the recovery area;
 - iii) Overseeing the recovering of jumpers; and
 - iv) Assisting in controlling the public.
- E) Registration clerk's duties include:
- i) Registration of the jumper;
 - ii) Obtaining/deciding on medical clearance;
 - iii) Weighing and marking of weight of the jumper. The scale shall be certified annually and checked monthly by the operator for accuracy. The certification shall be done by a person recognized under the Illinois Weights and Measures Act, Ill. Rev. Stat. 1991, ch. 147, par. 108.1, to conform with Section 2.20 of the National Institute of Standards and Technology Handbook 44, 1991 edition. These standards are hereby incorporated by reference and do not include any later amendments or corrections. This handbook is available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402-9325;
 - iv) Controlling movement of jumpers to preparation area;
 - v) Controlling or assisting in controlling the public; and
 - vi) The payment process.
- F) Vessel operator's duties shall include operating the landing and/or emergency vessels.
- G) Crane Operator
- i) A person who is experienced in operating a crane used for hoisting material and/or personnel. Proof of experience shall be a statement on letterhead stationery from present employer or a journeyman's card in good standing from the International Union of Operating Engineers.
 - ii) Must be knowledgeable of the particular crane's controls and be physically capable of performing the duties.
 - iii) Shall respond to move signals only from the jump master, but shall obey a stop signal given by any employee at any time.
- r) MINIMUM STAFF AND TRAINING
- 1) An operating team shall consist of no fewer than 4 people.
 - 2) Training shall be conducted by, or under the direct supervision of, a jump master.
 - 3) Staff who are operating in training mode shall be directly supervised at all times.
 - 4) A training component of the operating manual covering the critical tasks in the operation shall be available on the site. The tasks shall include maintenance and testing as well as jump procedures. The training shall require achieving mastery of the specified skills and knowledge.
- s) INJURY, DAMAGE AND INCIDENT EVENTS

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

- 1) Serious injury (as defined in Section 10 of this Part) shall be reported to the Department within one hour, and the operation shall be closed until the Department reopens it. All incidents shall be reported within 24 hours to the Chief Inspector of the Carnival and Amusement Ride Inspection Division.
 - 2) Owners/operators shall record all injuries, damage or near miss events in the daily log.
- t) WORK PERIODS
- The staff shall take regular breaks to ensure that fatigue does not downgrade their ability to operate an incident free operation.
- u) MEDICAL AND AGE RESTRICTIONS FOR JUMPERS
- 1) Jumpers shall be questioned on their medical condition.
 - 2) Jumpers who declare medical conditions that may be affected by the jump shall not be allowed to jump. Medical conditions that disqualify a jumper include, at a minimum:
 - A) Pregnancy;
 - B) High blood pressure;
 - C) Heart conditions;
 - D) Neurological disorders;
 - E) Epilepsy; and
 - F) Neck, back or leg injuries or disabilities.
 - 3) A sign shall be erected listing the medical and age restrictions for jumpers. The sign shall be clearly visible to intending jumpers.
 - 4) Any jumpers who, in the opinion of the operations staff, represent a danger to themselves or others shall not be allowed into the preparation area nor allowed to jump.
 - 5) Jumpers who appear to be in an intoxicated or drugged state shall not be allowed to jump.
 - 6) The minimum age for jumping shall be 18 years and proof of age shall be provided at time of jump. Proof of age shall be a valid driver's license or other type of photo I.D. issued by an agency of government or employer.
- v) SITE OPERATING MANUAL AND DOCUMENTATION
- 1) Each site shall have an operating manual, referred to as the manual, for the safe operation of bungee jumping on that site. The manual and all amendments shall be on site and be freely available to staff and governing bodies.
 - 2) The manual shall include the ways and means of meeting the appropriate requirements of this Part.
 - 3) The manual shall include, but not be limited to, the following:
 - A) A site plan;
 - B) A description of operating systems and equipment;
 - C) Job procedures, including training, for each task in the operating system;
 - D) Job descriptions;
 - E) Sample of staff qualifications;
 - F) Staff selection procedures;
 - G) Maintenance standards and procedures;

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

- H) Testing procedures and recording;
 I) Criteria for the periodic replacement of rigging;
 J) Criteria for the regular planned inspections of ropes, webbings and bindings;
 K) Emergency plan and procedures;
 L) Reporting of injuries, damage and incidents;
 M) Requirements for maintaining logs, including:
 i) Site;
 ii) Equipment and rigging;
 iii) Personnel;
 iv) Name of jumper;
 v) Bungee cord used;
 N) Records to be kept;
 O) Requirements for analysis of records;
 P) Inspection procedures, standards and follow up actions; and
 Q) Examples of forms to be used.
- 4) Daily Pre-opening Operating Procedures shall include:
 A) Preparation. Setting up the site equipment and public amenities. There shall be a written check list;
 B) Inspection, testing and checking;
 C) Personal protective equipment including gloves, life jackets, buoyancy aids, harnesses and life lines;
 D) Items of equipment;
 E) The communication system(s);
 F) The jump equipment and rigging;
 G) The jump procedures;
 H) Carry out test jumps;
 I) Checking the bungee cord performance; and
 J) Staff briefing for the day's operations. Includes appointment of the site controller when applicable.
- 5) Jump Procedures. The procedures shall at a minimum include the following:
 A) Ensuring the exclusion of the public from the operating areas;
 B) Registration of jumpers, including:
 i) Name, address, city, county, state, zip code and telephone number;
 ii) Medical factors and exclusions;
 iii) Age;
 iv) Weight and marking; and
 v) Payment;
 C) Removal of loose object;
 D) Jumper preparation, including:
 i) Harness or binding attachment; and
 ii) Briefing/instructions to the jumper;
 E) Jump preparation, including:
 i) Prepare bungee cord and adjust connections;
 ii) Connect the jumper and check connections to the rigging; and

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

- iii) Final inspection by jump master (a check list shall be used);
 F) Landing/recovery procedures, including:
 i) Lowering;
 ii) Landing; and
 iii) Disconnecting cord connections;
 G) Return of jumper to the public area; and
 H) Preparing the bungee cord for the next jumper.
- 6) Close Down Procedures. The manual shall include the following close down procedures:
 A) Equipment - cleaning, inspection, testing and checking;
 B) Completion of records, both site and personal;
 C) The necessary daily maintenance of equipment, structures and facilities;
 D) The storage of equipment;
 E) The cleaning up and disposal of rubbish;
 F) Security check and lock up;
 G) De-briefing of staff on:
 i) Incidents/events occurring during the day;
 ii) Equipment, rigging and bungee cord changes required before the next day's operations start; and
 iii) Maintenance work not completed but required before the next day's start.
- W) EMERGENCY PROVISIONS AND PROCEDURES
 1) Each site shall have an emergency plan.
 2) A medium first aid kit and blankets shall be on site.
 3) All jump masters shall be qualified in life saving techniques, first aid and cardiopulmonary resuscitation techniques through the American Red Cross or equivalent training, including "in water rescue of spinal injuries or unconscious patients".
 4) Where the site includes moving water or swift water, the site operating manual shall specify the rescue training and/or qualification required for all operators and staff on the site.
 5) Emergency lighting shall be provided at all jump sites that operate between 1/2 hour prior to sunset and 1/2 hour after sunrise. The emergency lighting system shall illuminate the jump platform, the jump space and the landing area. The emergency lighting system shall have its own power source.
 X) The Department's approval shall specifically not be used in any advertisement, brochures, commercials, TV or radio show, newspaper, or in any other public manner, by the owner or operator.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

DEPARTMENT OF CONSERVATION
NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Field Trials on Department-Owned or Managed Sites

2) Code Citation: 17 Ill. Adm. Code 910

3) Section Numbers: Adopted Action:

910.15	New Section
910.20	Amendments
910.25	New Section
910.60	Amendments
910.80	Amendments

4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 2.34, 3.1 and 3.5 of the Wildlife Code (Ill. Rev. Stat. 1991, ch. 61, pars. 1.3, 1.4, 2.34, 3.1 and 3.5) [520 ILCS 5/1.3, 1.4, 2.34, 3.1 and 3.5]

5) Effective Date of Amendments: August 23, 1994

6) Does this rulemaking contain an automatic repeal date? No

7) Do these amendments contain incorporations by reference? No

8) Date filed in Agency's Principal Office: August 23, 1994

9) Notice of proposal published in Illinois Register: March 18, 1994, 18 Ill. Reg. 3846

10) Has JCAR issued a Statement of Objections to these rules? No

11) Differences between proposal and final version: In Section 910.15(b), the "t" in The American Field was capitalized.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these amendments replace an emergency rule (amendment, repealer) currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and purpose of amendments: New Sections on Definitions and Scheduling of Field Trials have been added to this part and language regarding requests for field trial permits has been replaced with more specific information.

16) Information and questions regarding these adopted amendments shall be

directed to:

Jack Price
Department of Conservation
524 S. Second Street, Room 485
Springfield, IL 62701-1787

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION

CHAPTER I: DEPARTMENT OF CONSERVATION

SUBCHAPTER b: FISH AND WILDLIFE

PART 910

FIELD TRIALS ON DEPARTMENT-OWNED OR MANAGED SITES

Section	
910.10	Statewide Regulations
910.15	Definitions
910.20	Permits and Fees
910.25	Scheduling of Field Trials
910.30	Responsibility
910.40	Liability Insurance
910.50	Field Trial Season
910.60	Hunting License Requirements
910.70	Game Birds
910.80	Future Rights

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 2.34, 3.1 and 3.5 of the Wildlife Code (Ill. Rev. Stat. 1991, ch. 61, pars. 1.3, 1.4, 2.34, 3.1 and 3.5) [520 ILCS 5/1.3, 1.4, 2.34; 3.1 and 3.5].

SOURCE: Adopted at 2 Ill. Reg. 30, p. 291, effective July 29, 1978; codified at 5 Ill. Reg. 10650; amended at 7 Ill. Reg. 1784, effective February 1, 1983; amended at 11 Ill. Reg. 12860, effective July 28, 1987; amended at 18 Ill. Reg.

18425, effective **AUG 23 1994**.

Section 910.15 Definitions

a) Field Trial - any competition involving the classification of dogs commonly referred to as sporting dogs in which the primary purpose is to evaluate the field performance of the dogs.

b) Championship/Classic - field trial classifications awarded by recognized sporting dog registries such as the American Kennel Club, The American Field-Field Dog Stud Book, United Kennel Club, etc., or by recognized national sporting dog associations such as the National Shoot-To-Retrieve Field Trial Association, etc., that are used to designate particular field trials as superior and more prestigious events.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 910.20 Permits and Fees

a) Requests for Field Trial Permits must be received in writing by the Department at least four weeks prior to the date of the field trial. Previous--participating--organizations--who--request--that--their--field

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

trial--be--held--on--the--same--weekend--as--the--previous--year--will--be--granted--the--site--and--date--requested--if--their--request--is--received--prior--to--the--field--trial--season--Requests--not--received--prior--to--field--trial--season--will--be--allocated--on--a--first--come--first--serve--basis. Requests should be sent to:

Department of Conservation
Division of Wildlife Resources
Lincoln Tower Plaza
524 South Second St.
Springfield, IL 62706

b) Request for Field Trial Permits must contain the following information:

- 1) Name of the field trial organization
 - 2) Date(s) the field trial is to be conducted
 - 3) Location
 - 4) Type of field trial (e.g., pointing dog-horseback, pointing dog-walking, beagle hound, retriever, shoot-to-retrieve, springer spaniel, etc.)
 - 5) Licensing or sanctioning sporting dog registry or association if applicable (e.g., American Kennel Club, The American Field-Field Dog Stud Book, National Shoot-To-Retrieve Field Trial Association, United Kennel Club, etc.)
- b7c) Fees - Illinois Department of Conservation Area
- 1) Pointing Breed Field Trials - \$35.00 per day or part of day
 - 2) Retrieving Breed and English Springer Spaniel Field Trials - \$25.00 per day or part of day
 - 3) Hound Field Trials - \$12.50 per day or part of day
- c7d) Established camp sites and group camping are available to field trial participants at rates established in 17 Ill. Adm. Code 130.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 910.25 Scheduling of Field Trials

a) Scheduling of field trial dates will be on a weekend basis with the first weekend being the first two-day weekend of January.

b) A field trial organization has first option for the date(s) it had the previous July 1 - December 31 or January 1 - June 30 if it follows the scheduling procedures in this Section.

c) The Department will accept requests from January 1 through April 30 for field trials that will occur from July 1 through December 31 of the same year.

d) The Department will accept requests from June 1 through September 30 for field trials that will occur from January 1 through June 30 of the following year.

e) Due to the time required for advance arrangements, the Department will accept requests from field trial organizations sponsoring a championship or classic at a time in advance of that specified in

DEPARTMENT OF CONSERVATION
NOTICE OF ADOPTED AMENDMENTS

- subsections (c) and (d).
- f) A field trial organization that wishes to change dates during the scheduling periods must complete these arrangements with the appropriate field trial organization that used the date previously. Dates remaining open after the conclusion of each scheduling period will be filled on a first-come, first-served basis.
- g) If an open date is requested via telephone, it will be held ten business days. If a letter is not received in this time period and the scheduling priority period has concluded, the date will revert to an open date.
- i) Championship field trials may be accommodated during or by delaying the controlled pheasant hunting season at Class A field trial sites providing there are no significant adverse impacts to either activity. Field trials will not be scheduled at the Lee County Conservation Area (Green River State Wildlife Area) from September 1 through September 15.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 910.60 Hunting License Requirements

- a) In field trials where the taking of hand-reared game birds and hand-reared Mallard Ducks is a necessary function of the trial, the following shall apply:
- 1) All gunners are required to have a valid Illinois hunting license, except as exempted by Section 3.1 of the Wildlife Code (Ill. Rev. Stat. 1985 1991, ch. 61, par. 3.1) [520 ILCS 5/3.1].
 - 2) All non-resident gunners are required to have a valid Illinois non-resident hunting license or written exemption from the Department waiving the license requirement.
- b) A written exemption from the Department waiving the hunting license requirement will be granted on request to all non-resident gunners. A request for a waiver of the hunting license requirement must be in writing.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 910.80 Future Rights

- a) For violation of Section 2.34 of the Wildlife Code (Ill. Rev. Stat. 1985 1991, ch. 61, par. 2.34) [520 ILCS 5/2.34] or this Part, the Department will reject all future requests for Field Trial Permits for a period of time not to exceed five years following the conviction of the violation.
- b) Organizations denied Field Trial Permits may contest the denial of a permit according to the process delineated in 17 Ill. Adm. Code 2530.

DEPARTMENT OF CONSERVATION
NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 18 Ill. Reg. _____, effective _____)

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: White-Tailed Deer Hunting by Use of Firearms

2) Code Citation: 17 Ill. Adm. Code 650

3) Section Numbers: Adopted Action:

650.30 Amendments

4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code (Ill. Rev. Stat. 1991, ch 61, pars. 1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36) [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36].

5) Effective Date of Amendments: August 23, 1994

6) Does this rulemaking contain an automatic repeal date? No

7) Do these amendments contain incorporations by reference? No

8) Date filed in Agency's Principal Office: August 23, 1994

9) Notice of Proposal Published in Illinois Register: May 13, 1994, 18 Ill. Reg. 7180

10) Has JCAR issued a Statement of Objections to these rules? No

11) Differences between proposal and final version: None

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these amendments replace an emergency rule (amendment, repealer) currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and purpose of amendments: This Part was amended to add language to allow the use of wheellock and matchlock muzzleloaders as a legal form of ignition for a muzzleloading firearm, and to add language defining what constitutes an unloaded wheellock or matchlock.

16) Information and questions regarding these adopted amendments shall be directed to:

Jack Price
Department of Conservation
524 S. Second Street, Room 485
Springfield, IL 62701-1787

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

The full text of the adopted amendments begins on the next page:

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF CONSERVATION
SUBCHAPTER b: FISH AND WILDLIFE

PART 650

WHITE-TAILED DEER HUNTING BY USE OF FIREARMS

Section

- 650.20 Statewide Deer Permit Requirements
- 650.21 Deer Permit Requirements - Landowner/Tenant Permits
- 650.22 Deer Permit Requirements - Special Hunts
- 650.23 Deer Permit Requirements - Group Hunt
- 650.30 Statewide Firearms Requirements
- 650.40 Statewide Deer Hunting Rules
- 650.50 Rejection of Application/Revocation of Permits
- 650.60 Regulations at Various Department-Owned or -Managed Sites
- 650.65 Youth Hunt
- 650.70 Special Extended Season Firearm Deer Hunt (Repealed)

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code (Ill. Rev. Stat. 1991, ch. 61, pars. 1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36) [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36].

SOURCE: Adopted at 5 Ill. Reg. 9771, effective September 17, 1981; codified 5 Ill. Reg. 10640; amended at 6 Ill. Reg. 10730, effective August 20, 1982; amended at 7 Ill. Reg. 10798, effective August 24, 1983; amended at 8 Ill. Reg. 21602, effective October 23, 1984; amended at 9 Ill. Reg. 16213, effective October 10, 1985; emergency amendments at 9 Ill. Reg. 20222, effective December 18, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 4223, effective February 25, 1986; amended at 10 Ill. Reg. 16665, effective September 22, 1986; amended at 11 Ill. Reg. 3044, effective February 3, 1987; amended at 11 Ill. Reg. 9564, effective May 5, 1987; amended at 12 Ill. Reg. 8003, effective April 25, 1988; amended at 12 Ill. Reg. 12055, effective July 11, 1988; amended at 13 Ill. Reg. 12853, effective July 21, 1989; amended at 14 Ill. Reg. 12430, effective July 20, 1990; amended at 14 Ill. Reg. 19869, effective December 3, 1990; amended at 15 Ill. Reg. 10038, effective June 24, 1991; emergency amendment at 15 Ill. Reg. 15790, effective October 22, 1991, for a maximum of 150 days; emergency expired March 21, 1992; amended at 16 Ill. Reg. 11131, effective June 30, 1992; amended at 17 Ill. Reg. 13468, effective July 30, 1993; amended at 18 Ill. Reg. 5859, effective April 5, 1994; amended at 18 Ill. Reg. **13431**, effective **AUG 23 1994**.

Section 650.30 Statewide Firearms Requirements

- a) The only legal hunting devices to take, or attempt to take, deer are:
- 1) Shotgun, loaded with slugs only, of not larger than 10 nor smaller than 20 gauge, not capable of firing more than 3 consecutive slugs; or

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

- 2) A single or double barreled muzzleloading firearm of at least .45 caliber shooting a single projectile through a barrel of at least sixteen inches in length.
- b) The standards and specifications for use of such muzzleloading firearms are as follows:
- 1) A muzzleloading firearm is defined as a blackpowder firearm that is incapable of being loaded from the breech end.
 - 2) The minimum size of the muzzleloading firearm projectile shall be .440 caliber. A wad or sleeve is not considered a projectile or a part of the projectile. Full metal jacket bullets cannot be used to harvest white-tailed deer.
 - 3) Only black powder or Pyrodex may be used.
 - ~~3~~**4**) Percussion caps, wheellock, matchlock or flint type ignition only may be used.
 - ~~4~~**5**) Removal of percussion cap or removal of prime powder from frizzen pan with frizzen open and hammer all the way down OR removal of prime powder from flashpan and wheel un-wound OR removal of prime powder and match with match not lit shall constitute an unloaded muzzleloading firearm.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: White-Tailed Deer Hunting Season by Use of Muzzleloading Rifles

2) Code Citation: 17 Ill. Adm. Code 660

3) Section Numbers: Adopted Action:

660.30 Amendments

4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36 of the Wildlife Code (Ill. Rev. Stat. 1991, ch 61, pars. 1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36) [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36].

5) Effective Date of Amendments: August 23, 1994

6) Does this rulemaking contain an automatic repeal date? No

7) Do these amendments contain incorporations by reference? No

8) Date filed in Agency's Principal Office: August 23, 1994

9) Notice of Proposal Published in Illinois Register: May 13, 1994, 18 Ill. Reg. 7183

10) Has JCAR issued a statement of Objections to these amendments? No

11) Differences between proposal and final version: Section 660.30(b)(4) was changed to read: Only percussion caps, wheellock, matchlock or flint type ignition may be used.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these amendments replace an emergency rule (amendment, repealer) currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments: This Part is being amended to add language to allow the use of wheellock and matchlock muzzleloaders as a legal form of ignition for a muzzleloading firearm, and to add language defining what constitutes an unloaded wheellock or matchlock.

16) Information and questions regarding these adopted amendments shall be directed to:

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

Jack Price
Department of Conservation
524 S. Second Street, Room 485
Springfield, IL 62701-1787

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF CONSERVATION
NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF CONSERVATION
SUBCHAPTER b: FISH AND WILDLIFE

PART 660
WHITE-TAILED DEER HUNTING SEASON BY USE
OF MUZZLELOADING RIFLES

ignition may be used.
5) Removal of percussion cap or removal of prime powder from frizzen pan with frizzen open and hammer all the way down or removal of prime powder from flashpan and wheel un-wound or removal of prime powder and match with match not lit shall constitute an unloaded muzzleloading firearm.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

- Section
660.10 Statewide Season and Permit Quotas
660.20 Statewide Deer Permit Requirements
660.21 Deer Permit Requirements - Free Landowner/Tenant Permits
660.22 Deer Permit Requirements - Special Hunts
660.25 Deer Permit Requirements - Group Hunt
660.30 Statewide Muzzleloading Rifle Requirements
660.40 Statewide Deer Hunting Rules
660.45 Reporting Harvest
660.50 Rejection of Application/Revocation of Permits
660.60 Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36 of the Wildlife Code (Ill. Rev. Stat. 1991, ch. 61, pars. 1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36) [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36].

SOURCE: Adopted at 15 Ill. Reg. 4777, effective March 18, 1991; amended at 15 Ill. Reg. 11627, effective August 2, 1991; amended at 16 Ill. Reg. 11150, effective June 30, 1992; amended at 17 Ill. Reg. 10865, effective July 1, 1993; amended at 18 Ill. Reg. 5878, effective April 5, 1994; amended at 18 Ill. Reg. 13435, effective AUG-23-1994.

Section 660.30 Statewide Muzzleloading Rifle Requirements

- a) The only legal hunting device is a single or double barreled muzzleloading firearm of at least .45 caliber shooting a single projectile through a barrel of at least 16 inches in length. (Except that the otherwise lawful possession of rifles to take furbearing mammals and game mammals other than deer shall not be prohibited during the muzzleloading rifle deer season as set in Section 660.10.)
- b) The standards and specifications for use of such muzzleloading firearm are as follows:
- 1) A muzzleloading firearm is defined as a blackpowder firearm that is incapable of being loaded from the breech end.
 - 2) The minimum size of the muzzleloading firearm projectile shall be .440 caliber (wad or sleeve is not considered part of projectile). Full metal jacket bullets cannot be used to harvest white-tailed deer.
 - 3) Only black powder or Pyrodex may be used.
 - 4) Only percussion caps, wheellock, matchlock of flint type

DEPARTMENT OF THE LOTTERY

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Lottery (General)
- 2) Code Citation: 11 Ill. Adm. Code 1770
- 3) Section Numbers:
 Adopted Action:
 1770.170 Amended
 1770.190 Amended
- 4) Statutory Authority: Implementing Sections 7.1 and 7.3, and authorized by Section 7.1, of the Illinois Lottery Law (Ill. Rev. Stat. 1991, ch. 120, pars. 1157.1 and 1157.3) [20 ILCS 1605/7.1 and 7.3] and Executive Order 86-2, effective July 1, 1986.
- 5) Effective Date of Amendments: August 23, 1994
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this Amendment contain incorporations by reference? No
- 8) Date filed in Agency's principal office? August 3, 1994
- 9) Notice of Proposal Published in Illinois Register: 18 Ill. Reg. 6519, May 6, 1994
- 10) Has JCAR issued a Statement of Objections to this Rule? No
- 11) Difference(s) between proposal and final version:

1. Section 1770.170(c), second line, inserted a hyphen between the words "player" and "selected".
2. Section 1770.170(d)(1), second line, changed "game" to "games" and added the words "or little lotto".
3. Section 1770.170(d)(1)(A), first line, added the words "for the game known as Lotto".
4. Section 1770.170(d)(1)(B), inserted a new subsection and redesignated the former subsection "B" as "C".
5. Section 1770.170(d)(1)(C), first line, inserted the words "for Lotto and little lotto".
6. Section 1770.170(d)(2), deleted the words "the pari-mutuel game known as 'little lotto' or any variation thereon by any name otherwise designated, and for such other" and the words "as may be".
7. Section 1770.190(b), line 11, inserted a comma after the word "agent".
8. Section 1770.190(h), added the words "and the State Treasurer" after the word "Department".

- 12) Have all the changes agreed upon by the agency and JCAR been made as

DEPARTMENT OF THE LOTTERY

NOTICE OF ADOPTED AMENDMENTS

- indicated in the agreement letter issued by JCAR? No changes were requested by JCAR.
- 13) Will this rule replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and purpose of amendments: These amendments redefine the methods of determining grand prizes for the Lotto and little lotto games, update forms requirements for Lottery prizes of \$600 or more to ensure proper tax reporting, and reflect the State Treasurer's role in the funding of installment prizes.
- 16) Information and questions regarding these adopted amendments should be directed to:
 Lisa A. Crites, Rules Coordinator
 Illinois Department of the Lottery
 201 East Madison Street
 Springfield, Illinois 62702

The full text of the amendments begins on the next page:

DEPARTMENT OF THE LOTTERY

NOTICE OF ADOPTED AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY
 SUBTITLE C: LOTTERY
 CHAPTER II: DEPARTMENT OF THE LOTTERY

PART 1770
 LOTTERY (GENERAL)

Section	Definitions
1770.10	Selection of Lottery Sales Agents; License Application and Fee;
1770.20	On-Line Status
1770.30	Special Licenses
1770.40	License Revocation Without Prior Notice
1770.50	License Revocation, Suspension or Denial With Prior Notice
1770.60	Conditions of Licensing
1770.70	License to be Displayed
1770.80	Change of Name, Ownership, or Form of Business Organization
1770.90	Delinquent Financial Obligations
1770.100	Bonding of Agents
1770.110	License Expiration and Renewal
1770.120	Agent Financial Adjustments
1770.130	Lost, Stolen, and Damaged Winning Tickets and Other Discrepancies
1770.140	Sales by Department Directly
1770.150	Sales, Inspection, Compensation, and Ticket Purchases
1770.160	Lottery Tickets
1770.170	Lottery Games
1770.180	Drawings
1770.190	Prize Payment, Claiming of Prizes and Transfers to Common School Fund
1770.200	Eligibility to Buy
1770.210	Sale of Promotional Items

AUTHORITY: Implementing and authorized by Sections 7.1 and 7.2 of the Illinois Lottery Law (Ill. Rev. Stat. 1991, ch. 120, pars. 1157.1 and 1157.2) [20 ILCS 1605/7.1 and 7.2] and Executive Order 86-2, effective July 1, 1986.

SOURCE: Filed by the Lottery Control Board July 11, 1974; amended at 2 Ill. Reg. 17, p. 130, effective April 1, 1978; amended at 4 Ill. Reg. 15, p. 201, effective March 30, 1980; codified as 11 Ill. Adm. Code 1670 at 5 Ill. Reg. 10713; transferred from 11 Ill. Adm. Code 1670 (Lottery Control Board) to 11 Ill. Adm. Code 1770 (Department of the Lottery) pursuant to Executive Order 86-2, effective July 1, 1986, at 11 Ill. Reg. 1582; Part repealed, new Part adopted at 13 Ill. Reg. 7908, effective May 16, 1989; amended at 17 Ill. Reg. 1816, effective October 19, 1993; amended at 18 Ill. Reg. **13439**, effective **AUG 23 1994**.

Section 1770.170 Lottery Games

DEPARTMENT OF THE LOTTERY

NOTICE OF ADOPTED AMENDMENTS

- a) The Director may authorize instant ticket games in which winners are determined by matching certain of the numbers, letters, characters, words or devices as provided by the rules of the game. Instant game rules may also provide for preliminary and grand prize drawings. Preliminary drawings will be conducted at the Lottery Central offices to determine semifinalists for Grand Prize drawings. Preliminary drawings will be from those tickets or shares eligible for entry into the preliminary drawing and submitted to the Department as part of the preliminary drawing pool in such manner and by such deadline as may be provided by departmental directive. Preliminary drawings shall be open to the public and notice of such drawings shall be posted in the State of Illinois Center in the City of Chicago and the Department's Central offices in the City of Springfield, Illinois, at least five days prior to such drawing. Grand prize drawings shall be conducted pursuant to the rules of the game, and copies of written procedures to be followed at Grand Prize drawings will be furnished each finalist prior to a drawing.
- b) The Department may offer passive lottery games wherein tickets bear pre-assigned numbers or words. Winners in such games shall be determined either by the results of future events or by publicly held drawings wherein randomly drawn numbers are selected and tickets with numbers matching those drawn shall entitle the ticket holder to the prize indicated on the ticket and in accordance with the prize structure established by the game rules.
- c) The Department may offer computer operated games where players are permitted to purchase tickets bearing player-selected numbers for drawings which are regularly scheduled in accordance with game rules. With respect to such games, the Director shall conduct drawings using air-driven or gravity selection equipment (including but not limited to, devices utilizing air-driven ball selection, gravity mixing chamber ball selection, spinning wheel and ball selection or similar equipment, and utilizing either hollow or solid balls appropriate to the type of equipment utilized). Drawings shall be by random selection in the presence of a certified public accountant who will monitor the integrity of the drawing procedure.
- d) Players holding tickets with numbers corresponding to those drawn in the several games shall be entitled to prizes in the amounts set forth in game rules to be established by the Director, provided that:
- 1) prizes awarded in connection with the ~~particular~~ game games commonly known as "Lotto" or "little lotto" or any variation thereon by any name otherwise designated, shall be awarded as follows:
 - A) Grand prizes for the game known as Lotto shall be determined by the Director prior to each drawing based upon an estimate of ticket sales and securities prices, and the grand prize paid shall not exceed the amount so determined;
 - B) Grand prizes for the game known as little lotto shall be determined by the Director prior to each drawing based on an

DEPARTMENT OF THE LOTTERY

NOTICE OF ADOPTED AMENDMENTS

estimate of ticket sales, and the grand prize paid shall not exceed the amount so determined;

- c) Second and third prizes for Lotto and Little Lotto shall be awarded on the basis of the prize pool available, in accordance with the prize structure established by game rule.

- 2) For prizes awarded in connection with pari-mutuel games offered by the Department, the prize pool for each level of prize offered per drawing will be expressed as a percentage of total ticket sales for the drawing, unless guaranteed at a higher amount determined by the Director.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 1770.190 Prize Payment, Claiming of Prizes and Transfers to Common School Fund

- a) The prize structure may vary with each game and will be established at the beginning of the game by the Director. The prize structure, odds of winning, the manner in which winners are determined, the claim period for the game and various procedural matters will be set forth in game rules and play instructions.

- b) Claims for all prizes as designated in game rules and directives issued by the Department and in the amount of less than \$600 may be claimed by presenting winning tickets to Lottery sales agents, within such agent claim periods as may be established by the Director in game rules for the various games. Agents shall pay such prizes directly from Lottery ticket sales funds on hand, or when instructed by the Department, by filing the winning tickets and claim forms with the Department. Claims presented for payment at agent locations after the agent claim period established in game rules shall be presented to any Department office for payment. When a claim is presented to any agent for payment, the claimant shall present the ticket to the agent, complete the name and address portions on the reverse of the ticket and show identification. The agent, after following verification procedures which establish that the ticket is a winning ticket for the drawing date on the ticket and examining the ticket for alteration, shall pay the claimant or his or her authorized representative directly.

- c) Prizes of \$600 up to \$25,000 may be paid by Lottery regional or administrative offices, subject to established claim periods and validation tests. All claims for prizes of more than \$25,000, as well as claims for lesser prizes not paid by Lottery regional offices, administrative offices or by an agent pursuant to subsection (b) of this Section, must be paid centrally by the Department. Claimants may obtain claim forms from any lottery on-line ticket sales agent, any departmental regional office, or the Department's administrative

DEPARTMENT OF THE LOTTERY

NOTICE OF ADOPTED AMENDMENTS

offices in Chicago or Springfield, Illinois. When initiating a claim at any of the aforesaid offices, a claimant shall present proof of identification and the winning ticket. The agent or Department employee, as applicable, will assist the claimant in filling out the claim form which will be signed by the agent or employee and by the claimant or his or her authorized representation representative. The claimant or authorized representative will receive a copy of the claim form as a receipt. The winning ticket and a copy of the claim form will be sent to the Department's central offices in Springfield, Illinois, for verification. When the ticket is verified as a winning ticket, the prize, or first installment thereof in the case of installment awards will be mailed to the claimant.

- d) Prizes ~~in the amount of \$17,000 or less~~ of less than \$600 claimed by multiple winners playing as partners or as a group, with common ownership of a winning ticket at the time of the prize drawing, shall be claimed in the individual name of one of the partners or members of the group. Payment of any claim filed on behalf of such an individual group member shall be in the same manner as if filed on behalf of a single claimant.

- e) Prizes ~~in excess of \$17,000 but less than \$17,000,000~~ of \$600 up to \$1,000,000 claimed by multiple winners playing as partners or as a group, with common ownership of a winning ticket at the time of the prize drawing, may be claimed in the individual name of one of the partners or members of the group. Any claim filed on behalf of such an individual group member shall be filed in the same manner as if filed on behalf of a single claimant, ~~except that a group claimant requesting individual checks to each group member must attach form 1B5-206 listing the names, addresses, social security numbers and other relevant data with respect to each member of the partnership or group sharing the prize and the respective shares of each such individual member; but must be accompanied by a form 5754 setting forth the names, addresses, social security numbers and prize shares of all other persons entitled to a share of the prize.~~ The Department will process a voucher payable to each individual listed on the form ~~1B5-206~~ 5754, dividing the winnings equally, or as otherwise designated on the form ~~1B5-206~~ 5754. The Department will then process payment vouchers to the office of the Comptroller for preparation of warrants and end of year income tax withholding documents. Claim and payment may be made in a partnership name only if the partnership furnishes a Federal Employer's Identification Number (FEIN).

- f) Prize payment warrants for prizes in the amount of \$1,000,000 or more claimed by multiple winners playing as partners or as a group, with common ownership of a winning ticket at the time of the prize drawing, will be made out to a partnership as a single payee, or to each of the individual partners or members, as requested in writing by the winners and provided that each individual's gross annual payment will equal or exceed \$5,000. Partnership claims shall include the name, address and Federal Employer's Identification Number of the partnership, ~~and the~~

DEPARTMENT OF THE LOTTERY

NOTICE OF ADOPTED AMENDMENTS

ticket and claim form will must be signed by one of the general partners on behalf of the partnership, and the claim form must be accompanied by a form 5754 setting forth the names, addresses, social security numbers and prize shares of each partner. Prior to payment, the partnership must submit a written partnership agreement evidencing, at a minimum, that an oral agreement for group play existed prior to the purchase of the winning lottery ticket. The partnership agreement shall be subject to review by the Department's legal staff, and may not contain provisions contrary to law. Where separate checks have been requested, the partnership must additionally furnish social security numbers and payment instructions for each partner. Upon approval, the Department will then process separate vouchers for payment of the proportionate share due each of the several claimants.

g) Lottery clubs, charitable organizations, corporations, partnerships and other "artificial" persons shall be eligible to purchase lottery tickets. However, with respect to awards of prizes for life, such "artificial" persons shall be entitled to the minimum guaranteed prize.

h) Prize structures--for parimutuel games--offered by the Department will be established by game rule. With respect to each such game, the prize pool for each level of prize offered per drawing will be expressed as a percentage of total ticket sales for the drawing. The Grand Prize pool will be divided by the number of Grand Prize winners to determine the amount of cash available per winner. If the cash available per winner is sufficient to purchase an annuity or federal security investment sufficient to yield a minimum of \$1 million per Grand Prize winner payable over twenty years, inclusive of a first year cash payment of 1/20th of the winner's share of the Grand Prize, and nineteen subsequent installments on an annual basis, the investments will be made by the Department and the prize paid accordingly. If the amount available in the Grand Prize pool is not sufficient to purchase a minimum investment designed to yield at least \$1 million per each Grand Prize winner as provided hereinabove, the Grand Prize pool will be divided equally among the winners and paid in a single lump sum payment. Except as provided herein, for the game commonly known as "Lotto" the Department and the State Treasurer will invest sufficient funds to purchase federal securities equal to the Grand Prize amount, less 1/20th of that amount to be paid in cash at the time of the prize claim (the balance of the prize to be paid in nineteen annual installments). The Grand Prize will be divided by the number of Grand Prize winners to determine the prize amount per winner. If the number of Grand Prize winners is greater than the number of millions of dollars in the advertised Grand Prize, the cash available will be divided by the number of winners and paid in a single lump sum. The amount of lower tier prizes will be determined by dividing each of the prize pools by the number of winners for each respective prize level, and rounding each prize payment down to the

DEPARTMENT OF THE LOTTERY

NOTICE OF ADOPTED AMENDMENTS

nearest fifty cents.

1) Payment of prize installments due with respect to a prize due a winner whose death occurs prior to payment of the final installment may be accelerated. Any prize, or portion thereof remaining unpaid at the death of a winner, may be paid to the estate of such deceased prize winner, or to the designated trustee under a revocable living trust established by the deceased prize winner, as settlor, provided that a copy of such trust has been filed with the Department, along with a notarized letter of direction from the settlor, and no written notice of revocation has been received by the Department prior to the settlor's death. Following such a settlor's death and prior to any payment to such a successor trustee, the Director shall obtain from the trustee and each trust beneficiary a written agreement to indemnify and hold the Department harmless with respect to any claims that may be asserted against the Department arising from payment to, or through the trust.

2) At the election of the estate or successor trustee, the estate or trustee may have the option to request, within six months from the date of death, that the annuity or equivalent investment securities procured by the Department for purposes of generating annual installment prize payments be liquidated at current market value and paid over to the personal representative of the estate or beneficiary successor trustee, as appropriate. Upon receipt of notice of election to liquidate the remaining prize, if the prize payment has been structured through purchase of an annuity and the annuity contract permits early liquidation, the Department shall promptly notify the annuity company and request that the annuity be liquidated and the commuted (check) value be paid to the personal representative or successor trustee. If the Department has procured investment securities to generate income for satisfaction of future prize installments, the Department, as soon as practicable after such notification, and without jeopardy to the common investment position of securities purchased in connection with payment of future installments to other winners of Grand Prizes from the same drawing date as decedent, shall offer such securities for market sale and shall pay the personal representative or successor trustee the proceeds of sales attributable to decedent's prize. Prior to such distribution, the Department shall deduct from the proceeds of sales such sum as may be required to absorb from the share of the party requesting liquidation, any penalties or losses incidental to sale, and to restore the investment position of securities purchased with respect to any other same-date winners to the position held prior to liquidation. The balance of the proceeds of sale attributable to decedent's prize shall be distributed. Prior to authorizing accelerated liquidation of any prize, the Department shall obtain from each personal representative or

DEPARTMENT OF THE LOTTERY

NOTICE OF ADOPTED AMENDMENTS

successor trustee requesting such liquidation a complete release of any further liability of the Department for further payment with respect to the decedent's prize upon liquidation as provided herein, and the Department in liquidating the investment vehicle for any such prize shall be discharged of any further liability with respect to such prize beyond the amount actually realized through liquidation. Any election pursuant to this subsection must be in writing and shall be irrevocable.

i) Cash prizes must be claimed within a claim period set by Departmental directive and the game rules establishing claim periods for the respective games offered by the Department. Unclaimed prize money shall be retained by the Director for the person entitled thereto, for the claim period after the date of the drawing in which the prize is won, as established by game rule. Thereafter, said unclaimed prize funds will be managed as provided in statute.

j) Winning tickets which provide entry into a Preliminary Grand Prize drawing for any instant game must be filed with the Department by the deadline established in the game rules. Entry tickets filed after the Preliminary Grand Prize qualification drawing for the game with respect to which the tickets were sold will be entered into the Preliminary Grand Prize Drawing pool for the next game drawing subsequent to filing of such tickets, provided that no such ticket will be eligible for entry into a subsequent drawing unless filed with the Department, within 120 days of the announced end of the game for which the ticket was originally sold, provided, however, that the Director may establish lesser claim periods for specific games by directive and game rule.

k) For prizes in excess of \$10,000, a winner must identify his or her place of employment, if any, to ensure the winner is not prohibited from lottery play by the Act or these rules. For partnership claims, each partner must furnish employment information.

l) The net revenues accruing from the sale of lottery tickets shall be determined by deducting from total revenues the payments of prizes to holders of winning tickets and payment of costs incurred in the operation and administration of the Department. The Department may transfer income in excess of current operating needs to the Common School Fund.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

ILLINOIS MOTOR VEHICLE THEFT PREVENTION COUNCIL

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Public Information, Rulemaking, and Organization
- 2) Code Citation: 2 Ill. Adm. Code 1720
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
1720.200	Amended
1720.210	Amended
1720.310	Amended
1720.320	Amended
1720.330	Amended
1720.370	Amended
- 4) Statutory Authority: 20 ILCS 4005/1 et seq.
- 5) Effective Date of Amendments: August 22, 1994
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Does this rulemaking contain an incorporation by reference? No.
- 8) Date Filed in Agency's Principal Office: August 17, 1994
- 9) Notice of Proposal Published in Register:
These are internal rules which are not subject to first notice requirements.
- 10) Has JCAR issued a Statement of Objection to these Amendments? No.
- 11) Difference(s) between proposal and final version:
None.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?
These amendments are not subject to JCAR review.
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rules:
These amendments allow Council and Grant Review Committee members to be present by telephone at meetings for quorum and voting purposes. Also, the rules allow votes to be taken at Grant Review Committee meetings even if a full Council member is not present. In addition, the amendments eliminate the budget committee of the Council.
- 16) Information and questions regarding these adopted amendments shall be directed to:

ILLINOIS MOTOR VEHICLE THEFT PREVENTION COUNCIL

NOTICE OF ADOPTED AMENDMENTS

Name: Gerard Ramker, Program Director
 Address: Illinois Motor Vehicle Theft Prevention Council
 120 S. Riverside Plaza
 Chicago IL 60606-3997

The full text of the Adopted Amendments begins on the next page:

ILLINOIS MOTOR VEHICLE THEFT PREVENTION COUNCIL

NOTICE OF ADOPTED AMENDMENTS

TITLE 2: GOVERNMENTAL ORGANIZATION
 SUBTITLE E: MISCELLANEOUS STATE AGENCIES
 CHAPTER X: ILLINOIS MOTOR VEHICLE THEFT PREVENTION COUNCIL

PART 1720

PUBLIC INFORMATION, RULEMAKING AND ORGANIZATION

SUBPART A: PUBLIC INFORMATION

Section
 1720.100 Applicability
 1720.110 Public Requests
 1720.120 Public Submissions

SUBPART B: RULEMAKING

Section
 1720.200 Procedure
 1720.210 Public Hearings

SUBPART C: ORGANIZATION

Section
 1720.300 Preamble
 1720.310 Membership and Officers
 1720.320 Meetings
 1720.330 Committees
 1720.340 Council Staff
 1720.350 Annual Council Budget
 1720.360 Amendment of Organizational Rules
 1720.370 Unspecified Matters
 1720.380 Effective Date

AUTHORITY: 20 ILCS 4005/1 et seq.

SOURCE: Adopted at 16 Ill. Reg. 4503, effective March 10, 1992; amended at 18 Ill. Reg. 13448, effective AUG 2 1994.

SUBPART B: RULEMAKING

Section 1720.200 Procedure

- a) Rules may be proposed by any member of the Illinois Motor Vehicle Theft Prevention Council (hereinafter called "the Council"), or the Executive Director of the Illinois Criminal Justice Information Authority. However, rules shall be issued only by the Council.
- b) Any interested person may petition the Executive Director of the Illinois Criminal Justice Information Authority to make, amend or repeal a rule. The Executive Director shall refer all petitions, with

ILLINOIS MOTOR VEHICLE THEFT PREVENTION COUNCIL

NOTICE OF ADOPTED AMENDMENTS

staff review and recommendations, to the Council which shall decide whether or not to recommend further action.

1) The petition shall be addressed to:

Illinois Motor Vehicle Theft Prevention Council
c/o Executive Director
Illinois Criminal Justice Information Authority
120 S. Riverside Plaza
Chicago, Illinois 60606

2) The petition shall contain a clear statement of reasons for the proposed rule, amendment or repeal and the exact language of the suggested new rule or amendment.

c) All rules promulgated by the Council shall be in accordance with the procedures for issuing proposed rules and for their ultimate adoption in accordance with the Administrative Procedure Act (Ill. Rev. Stat. 1989, ch. 127, par. 1001 et seq.). [5 ILCS 100/1-1 et seq.]

d) Rules adopted by the Council shall be available for public inspection during normal working hours at 120 South Riverside Plaza, Chicago, Illinois.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 1720.210 Public Hearings

a) The Chairman or a committee chairman may convene public hearings on proposed rulemaking whenever the interest of the State would be best served by such proceedings in order to establish a record of public comment.

b) Formal notice of a public hearing shall be given upon at least fourteen (14) days notice in accordance with the Illinois Open Meetings Act (Ill. Rev. Stat. 1989, ch. 102, par. 41 et seq.). [5 ILCS 120/1 et seq.] The notice shall include the date, time and place of the proceedings.

c) Minutes of public hearings shall be recorded and shall be available for public inspection.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

SUBPART C: ORGANIZATION

Section 1720.310 Membership and Officers

a) Council - The Illinois Motor Vehicle Theft Prevention Council consists of eleven (11) members. The members include the Secretary of State or his designee, the Director of the Department of Insurance, the Director of the Department of State Police, the State's Attorney of Cook County, the Superintendent of the Chicago Police Department, and the following six (6) additional members, each of whom shall be

ILLINOIS MOTOR VEHICLE THEFT PREVENTION COUNCIL

NOTICE OF ADOPTED AMENDMENTS

appointed by the Governor; a state's attorney of a county other than Cook, a chief executive law enforcement official from a jurisdiction other than the City of Chicago, three (3) representatives of insurers authorized to write motor vehicle insurance in this State, at least two (2) of whom shall be domiciled in this state, and one representative of purchasers of motor vehicle insurance in this state who is not employed by or connected with the business of insurance.

b) Chairman - The Chairman shall be a Council member designated by and serving at the pleasure of the Governor.

c) Vice Chairman - The Vice Chairman shall be a Council member designated by and serving at the pleasure of the Chairman. Upon disability or unavailability of the Chairman, the Vice Chairman shall function as the Chairman until the Chairman again becomes able or available or until the Governor appoints a new Chairman.

d) Secretary - The Secretary shall be appointed by and serve at the pleasure of the Chairman. The Secretary need not be a Council member, but if he or she is not a Council member, he or she may not exercise the powers and functions of Council members. The Secretary shall draft and forward the minutes of each meeting to Council members prior to the next Council meeting, at which time they shall be submitted to the Council for approval. Copies of approved minutes shall be promptly sent to the Governor's office and anyone who requests them. The Secretary shall also provide for the public notice of regular, rescheduled and special Council meetings as required by the Illinois Open Meetings Act (Ill. Rev. Stat. 1989, ch. 102, par. 41-46), and perform such other tasks as the Chairman designates.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 1720.320 Meetings

a) Regular Meetings - Regular meetings of the Council shall be held at least quarterly at the offices of the Council or at some location to be determined by the Chairman. Meetings and notice for meetings shall be in conformance with the Illinois Open Meetings Act.

b) Special Meetings - Special meetings of the Council shall be called in conformance with the Illinois Open Meetings Act either by the Chairman or by a request signed by at least four (4) Council members. Only matters contained in the agenda shall be voted on at any special meeting. In the event the need for a special meeting no longer exists or the Chairman has notice that a quorum will not be reached, the Chairman may cancel a special meeting provided that a meeting called at the request of Council members may be canceled only with their consent.

c) Public Hearings - The Council may convene public hearings, upon at least fourteen (14) days notice, in order to establish a record of public comment on proposed rules, regulations, legislation, or other matters of concern to the Council. Public hearings shall be called by

ILLINOIS MOTOR VEHICLE THEFT PREVENTION COUNCIL

NOTICE OF ADOPTED AMENDMENTS

the Chairman upon passage of a motion by the Council at a regular or special meeting to that effect. When appropriate, non-Council members may be appointed by the Chairman to assist in the conduct of such a public hearing. The presence of a majority of the number of Council members shall not be required in order to conduct public hearings, however, at least (1) Council member must be present.

d) Quorum - A quorum shall constitute a majority of Council members then holding office ~~six (6)~~ six (6) Council members who are present, in person or by telephone, at the initial roll call at the commencement of any regular or special meeting. If a quorum is not present at the scheduled time of the meeting, the Chairman may continue a roll call for a reasonable time after which, if a quorum is still not present, the meeting shall be adjourned.

e) Passage of Motions - After a quorum is announced, a majority of those voting on a motion shall be sufficient to pass and make it the official act of the Council. After a quorum is announced, Council business may continue to be transacted by the members remaining, provided, however, that no vote may be taken unless at least four of the members then holding office are still present at the time of the vote.

f) Voting Procedures - The Chairman shall have the right to call for a vote by voice vote or by leave to adopt a previous roll call vote, in all cases, unless there is an objection by one member, in which case a roll call vote shall be taken. The minutes shall reflect the results of each roll call.

g) Participation in Meetings

1) Proxies - Proxies to vote shall not be permitted. A Council member must be present, in person or by telephone, to record his or her vote and to present a motion or motions.

2) Written Communication - When unavailable for meetings, Council members may present signed and dated written communications which shall be distributed or read to Council Members by the Chairman. Such written communication shall not be considered proxies, votes or motions. However, a motion or motions may be made by other members concerning the contents of such written communication. Such written communications shall be included in the minutes of the meeting.

3) Discussion - Discussion and participation in meetings shall be subject to Robert's Rules of Order. Non-Council members may not address the Council or otherwise participate in its meetings in any manner without the consent of the Chairman. However, if there is an objection by a Council member to such address there shall be a vote of the Council upon the matter. The Executive Director and other members of the staff shall have the right to address the Council and participate in discussion.

4) Disruption - Anyone disrupting or otherwise interfering with the conduct of a meeting shall be removed from the place of meeting by order of the Chairman.

h) Agenda - The Chairman shall prescribe the agenda for all Council

ILLINOIS MOTOR VEHICLE THEFT PREVENTION COUNCIL

NOTICE OF ADOPTED AMENDMENTS

meetings. Any Council member may have an item placed on the agenda by notifying the Chairman in writing in advance of the mailing of the agenda. Such notification also should include a copy of any written materials that the Council member wishes distributed to the Council members. In every agenda, except at special meetings, there shall be a category entitled "New Business" for the initiation of matters not included in the agenda for the meeting. However, new business matters that would adversely affect the rights of any party(ies) may not be finally acted on unless the party(ies) affected has been given prior written notice thereof.

i) Notice - An agenda, together with a notice of the time and place of all regular meetings shall be mailed to Council members at least seven (7) days prior to the meeting date. The Chairman may postpone or reschedule any regular or special meeting upon at least 24 hours notice - by telephone, mail or equivalent means- prior to the scheduled meeting. Notice of the rescheduled meeting date shall be provided at least 24 hours in advance. However, no rescheduled regular or special meeting which is to include public hearings or regulatory or rulemaking proceedings shall be rescheduled without notice being mailed at least seven (7) days prior to the rescheduled meeting date.

†j) Expenses - Members of the Council shall serve without compensation. Council Members shall be entitled to reimbursement for reasonable expenses incurred in connection with their duties.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 1720.330 Committees

a) Committee Structure - The Council may have both ad hoc and standing committees.

b) Standing Committees - Standing Committees shall be established by the Council through resolution directing the Chairman to appoint such a committee and defining the committee's mission and responsibility. The committees shall function consistent with subsection (j) below. Standing committee reports and recommendations shall be presented to the Council for review, consideration, acceptance, adoption, or other appropriate Council action. The Council shall establish the following standing committees--with--the--powers--and--duties--stated--Grant Review Committee. The Grant Review Committee shall recommend programs, implement entities, and award amounts to the Council, consistent with the Act, the Rules for the Award and Monitoring of Trust Funds, and the annual statewide strategy approved by the Council.

†† Budget-Committee---The-Budget-Committee-shall:

A) review--and--approve--the--annual--fiscal--year--budget--of--the--Council--presented--by--the--Executive--Director--pursuant--to--Section--1720.350;

B) receive--regular--fiscal--reports--from--the--Executive-Director--about--the--funds--made--available--to--further--the--purposes--of--

ILLINOIS MOTOR VEHICLE THEFT PREVENTION COUNCIL

NOTICE OF ADOPTED AMENDMENTS

- e) ~~present testimony and advocate Council budget requests before the Governor and General Assembly, and perform other functions which may be assigned by the Chairman.~~
- f) ~~Grant Review Committee - The Grant Review Committee shall:~~

- 1) ~~recommend programs, implementing entities, and award amounts to the Council consistent with the Act, the Rules for the Award, and monitoring of trust funds, and the annual statewide strategy approved by the Council.~~

- c) Ad Hoc Committees - Ad Hoc Committees shall exercise those powers as are delegated to them by the Chairman, these Organizational Rules, and as are appropriate to their mission and responsibility. Ad Hoc Committee reports and recommendations shall be submitted to the Chairman and the Council and shall be advisory only.

- d) Membership - The Chairman shall appoint all committee chairmen and vice chairmen. Standing committees shall consist of at least three (3) Council members appointed by the Chairman. Ad Hoc Committees shall include at least one Council member, appointed by the Chairman. The Chairman may appoint non-Council members to an ad hoc committee. The members of all committees shall serve at the pleasure of the Chairman.

- 1) Committee Designees - A Council member may appoint a deputy director, assistant director, or a similar senior level staff person as the Council member's designee to serve as a voting member on a committee. Such designation shall be submitted in writing to the Chairman of the Council who will inform the appropriate committee chairman.

- 2) Written Communication - When unavailable for meetings, committee members or their designees may present signed and dated written communications which shall be distributed or read to committee members by the chairman. Such written communications shall not be considered proxies, votes or motions. However, a motion or motions may be made by other members concerning the contents of such written communication. Such written communications shall be included in the minutes of the committee meeting.

- e) Meetings - Either the Chairman or a committee chairman may schedule a committee meeting.

- f) Quorum - A quorum of a committee shall constitute a majority of the committee members or their designees including the committee chairman or vice chairman, who are present, in person or by telephone, at the initial roll call at the commencement of any committee meeting. If a quorum is not present at the scheduled time of the meeting, the committee chairman may continue a roll call for a reasonable time after which, if a quorum is still not present, the committee meeting shall be adjourned. No vote may be taken unless at least three (3) committee members or their designees, are present at the time of the vote, and at least one committee member present is a Council member.
- g) Participation - With the consent of a committee chairman,

ILLINOIS MOTOR VEHICLE THEFT PREVENTION COUNCIL

NOTICE OF ADOPTED AMENDMENTS

representatives of any Council member, specifically designated to the Chairman of the Council, may participate in any committee for discussion purposes. Members of the Council who are not committee members shall have the right to participate in committee meetings but shall not have the right to vote. However, the Chairman of the Council may designate any Council member to become an ad hoc voting member of a committee when necessary to ensure a quorum.

- h) Notice - A committee meeting shall be scheduled upon at least seven (7) days notice by telephone, mail, or equivalent means, to committee members. However, notice for any committee meeting involving public hearings or regulatory or rulemaking proceedings must be mailed at least fourteen (14) business days prior to the meeting date.

- i) Oversight of Committees - In order to provide for oversight by the Council of committee activities, whether ad hoc or standing, Council members shall be notified by phone, mail, or equivalent means, of all motions passed by a particular committee, within seven (7) days of any committee meeting, or prior to the next meeting of that committee, or before the next meeting of the Council, whichever is sooner. Within fourteen (14) days of receipt of such information, a special meeting of the Council may be convened upon the request of four (4) Council members, for the purpose of fully discussing any action taken by a committee and to supersede the authorization granted to the committee to act on the Council's behalf in any particular matter.

- j) Minutes and Reports - Minutes of all committee meetings shall be kept. Copies of minutes shall be furnished to all members of the Council within 42 days following each committee meeting. Minutes and reports shall be the responsibility of the committee secretary.

- k) Rules - Committees shall be governed by these Organizational Rules and any and all amendments thereto.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 1720.370 Unspecified Matters

All matters not specified by these Organizational Rules shall be governed by the Illinois Motor Vehicle Theft Prevention Act (Public Act 86-1408), the Illinois Criminal Justice Information Act (Ill. Rev. Stat. 1989, ch. 38, par. 210-1 et seq.) [5 ILCS 3930/1 et seq.], the Open Meetings Act (Ill. Rev. Stat. 1989, ch. 102, par. 41 et seq.) [5 ILCS 120/1 et seq.], the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1989, ch. 127, par. 1001 et seq.) [5 ILCS 100/1-1 et seq.], the rules of the Illinois Criminal Justice Information Authority, the rules of the Illinois Motor Vehicle Theft Prevention Council, and the latest edition of Robert's Rules of Order whenever applicable.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Water Use Designations and Site Specific Water Quality Standards
- 2) Code Citation: 35 Ill. Adm. Code 303
- 3) Section Numbers: Adopted Action:
303.323 Amendment
- 4) Statutory Authority: Implementing Section 13 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1013 and 1027) [415 ILCS 5/13 and 27].
- 5) Effective Date of Rule: August 19, 1994
- 6) Does this rulemaking contain an automatic repeal date?: No
- 7) Does this Rule contain incorporations by reference? No
- 8) Date filed in Board's Principal Office: August 11, 1994
- 9) Notice of Proposal Published in Illinois Register:
October 21, 1993, 17 Ill. Reg. 18759
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR?
No changes were needed.

- 13) Will this Rule replace an emergency Rule currently in effect? No
- 14) Are there any other amendments pending on this Part? No
- 15) Summary and Purpose of Rule:
This rule applies solely to the Marathon Oil Company's discharge at outfall 001 to the unnamed tributary of Sugar Creek. These amendments raise the allowance for Marathon Oil Company to discharge effluent containing 1,000 mg/L chlorides. The unnamed tributary to which Marathon discharges could not exceed 750 mg/L chlorides. A description is also contained in the Board's Opinion of August 11, 1994, Docket R91-23, which is available from the Clerk of the Board at 100 West Randolph Street, Suite 11-500, Chicago, Illinois 60601 or by telephoning 312/814-3620.
- 16) Information and questions regarding this adopted rule shall be directed to:

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Michelle C. Dresdow
Illinois Pollution Control Board
P.O. Box 505
DeKalb, IL 60115
(815) 753-0947

Please refer to Docket R91-23.

The full text of the Adopted Rule begins on the next page:

POLLUTION CONTROL BOARD

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE C: WATER POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD

PART 303

WATER USE DESIGNATIONS AND SITE SPECIFIC
WATER QUALITY STANDARDS

SUBPART A: GENERAL PROVISIONS

Section
303.100
303.101
303.102

Scope and Applicability
Multiple Designations
Rulemaking Required

SUBPART B: NONSPECIFIC WATER USE DESIGNATIONS

Section
303.200
303.201
303.202
303.203
303.204

Scope and Applicability
General Use Waters
Public and Food Processing Water Supplies
Underground Waters
Secondary Contact and Indigenous Aquatic Life Waters

SUBPART C: SPECIFIC USE DESIGNATIONS AND SITE
SPECIFIC WATER QUALITY STANDARDS

Section
303.300
303.301
303.311
303.312
303.321
303.322
303.323
303.331
303.341
303.351
303.352
303.353
303.361
303.400
303.430
303.431
303.441
303.442
303.443

Scope and Applicability
Organization
Ohio River Temperature
Waters Receiving Fluorspar Mine Drainage
Wabash River Temperature
Unnamed Tributary of the Vermillion River
Sugar Creek and Its Unnamed Tributary
Mississippi River North Temperature
Mississippi River North Central Temperature
Mississippi River South Central Temperature
Unnamed Tributary of Wood River Creek
Schoenberger Creek; Unnamed Tributary of Cahokia Canal
Mississippi River South Temperature
Bankline Disposal Along the Illinois Waterway/River
Unnamed Tributary to Dutch Creek
Long Point Slough and Its Unnamed Tributary
Secondary Contact Waters
Waters Not Designated for Public Water Supply
Lake Michigan

SUBPART D: THERMAL DISCHARGES

Section
303.500
303.502

Scope and Applicability
Lake Sangchris Thermal Discharges

APPENDIX A
APPENDIX B

References to Previous Rules
Sources of Codified Sections

AUTHORITY: Implementing Section 13 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1013 and 1027) [415 ILCS 5/13 and 27].

SOURCE: Filed with the Secretary of State January 1, 1978; amended at 2 Ill. Reg. 27, p. 221, effective July 5, 1978; amended at 3 Ill. Reg. 20, p. 95, effective May 17, 1979; amended at 5 Ill. Reg. 11592, effective October 19, 1981; codified at 6 Ill. Reg. 7818; amended at 6 Ill. Reg. 11161 effective September 7, 1982; amended at 7 Ill. Reg. 8111, effective June 23, 1983; amended in R87-27 at 12 Ill. Reg. 9917, effective May 27, 1988; amended in R87-2 at 13 Ill. Reg. 15649, effective September 22, 1989; amended in R87-36 at 14 Ill. Reg. 9460, effective May 31, 1990; amended in R86-14 at 14 Ill. Reg. 20724, effective December 18, 1990; amended in R89-14(C) at 16 Ill. Reg. 14684, effective September 10, 1992; amended in R92-17 at 18 Ill. Reg. 2981, effective February 14, 1994; amended in R91-23 at 18 Ill. Reg. 18457, effective AUG 19 1994.

Section 303.323 Sugar Creek and Its Unnamed Tributary

- a) This Section applies only to Sugar Creek and its unnamed tributary from the point at which Marathon Petroleum Oil Company's outfall 001 discharges into the unnamed tributary to the confluence of Sugar Creek and the Wabash River.
- b) Section 304.105 shall not apply to total dissolved solids and chlorides discharged by Marathon Petroleum Oil Company's outfall 001, so long as both of the following conditions are met:
- 1) Effluent from Marathon Petroleum Oil Company's outfall 001 does not exceed either 3,000 mg/±L total dissolved solids or 700 1,000 mg/±L chlorides, and
 - 2) The water in the unnamed tributary does not exceed 2,000 mg/±L total dissolved solids or 550 750 mg/±L chlorides.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Aviation Safety

2) Code Citation: 92 Ill. Adm. Code 14

3) Section Numbers:

14.902	14.960	14.998
14.905	Amend	
14.910	Amend	
14.920	Amend	
14.925	Amend	
14.930	Amend	
14.940	Amend	
14.945	Amend	
14.950	Amend	
14.955	Amend	
	Repeal	

Adopted Action:

New Section
Amend
Amend
Amend
Amend
Amend
Amend
Amend
Amend
Amend
Repeal

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 15 1/2, pars. 22.28, 22.42(3), and 22.47 [620 ILCS 5/28, 42(3) and 47].

5) Effective date of rules: August 19, 1994

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) Date filed in agency's principal office: August 18, 1994

9) Notice of proposal published in Illinois Register: April 15, 1994, 18 Ill. Reg. 5796

10) Has JCAR issued a Statement of Objections to these rules? No

11) Differences between proposal and final version: The following changes were made at the suggestion of the Joint Committee on Administrative Rules:

In Section 14.902(b), the Department deleted "/1-30" in the sixth line. "(Of)" was deleted before the word "regulations" in the seventh line. Finally, in the eighth line, "with" was deleted before the phrase "the procedures".

In Section 14.920(b), the comma after the word "request" was deleted. In Section 14.940(a), the underscoring of the period in the first sentence was deleted.

In Section 14.970, the Department is striking through the word "by" before "notice" in the second line and before the word "any" in the third line.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

In Section 14.990(c), the reference to the "Court Costs and Sheriff Fees Transfer act" has been deleted and "Section 47 of the Fees and Salaries Act" has been inserted in its place. In Section 14.995(b)(12) and (13), the references to "l)" and "m)" have been deleted.

In Section 14.997(b), a comma was deleted after the word "Division" in the middle of the paragraph.

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements letter issued by JCAR? Yes

13) Will this rule replace an Emergency Rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and purpose of rules: By this Notice of Adopted Amendments, the Department adopts changes to "Aviation Safety" which will cause the Division of Aeronautics's hearing procedures pertaining to non-contested cases to be less time-and money-consuming. As a result of these amendments, Department operations will be streamlined while due process rights of interested and affected citizens will remain protected.

Following is a summary of the substantive changes adopted by this rulemaking.

By adding a new Section 14.902, the Department clarifies that these procedures pertain to non-contested cases only. The Department is also establishing that the purpose of this Part is to guide the Division of Aeronautics and not to create a set of stumbling blocks and loopholes that can impede the decision-making process.

New Subsection 14.920(b) makes the procedure for the request of copies consistent with the Freedom of Information Act.

New Section 14.995(a) provides for the appointment of an administrative law judge ("ALJ") and requires an ALJ to act consistent with the policies of the Division of Aeronautics.

Subsection 14.997(j) saves the Division money and time by allowing hearings to be tape recorded instead of requiring a court reporter to prepare a transcript. Section 14.999 is repealed because it is incorrect. Appeals from orders entered pursuant to this Part cannot be judicially reviewed through the Administrative Review Law because the statute has not been incorporated by reference in the Illinois Aeronautics Act. Accordingly, judicial review is available only through common law certiorari.

16) Information and questions regarding these adopted rules shall be directed

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Mr. George Tinkham, Assistant Chief Counsel
Illinois Department of Transportation
Division of Aeronautics
#1 Langhorne Bond Drive
Springfield, Illinois 62767
(217) 785-4281

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER I: AERONAUTICS

PART 14
AVIATION SAFETY

SUBPART A: INFORMATION

Section
14.10 Definitions

SUBPART B: AIRCRAFT REGISTRATION

Section

- 14.210 Annual Registration of Aircraft Required
14.220 Time and Manner of Registration
14.230 Exhibition of Federal Aircraft Certificates and Certificate of Registration thereof
14.240 Exceptions to Registration Requirements

SUBPART C: PILOT REGISTRATION

Section

- 14.310 Annual Registration of Pilots Required
14.320 Time and Manner of Registration
14.330 Exhibition of Federal Pilot Certificates and Certificate of Registration thereof
14.340 Exceptions to Registration Requirements

SUBPART D: AIR SAFETY

Section

- 14.410 Responsibility and Authority of Pilot
14.420 Use of Liquor, Narcotics and Drugs
14.430 Dropping Object from Aircraft
14.440 Acrobatic Flight
14.450 Transportation of Explosives and Other Dangerous Articles
14.460 Spraying, Dusting, Seeding, Etc.
14.470 Public Fly-In Events-Prevention of Accidents Due to Overcrowding of Landing Areas
14.480 Applicability

SUBPART E: REPORTING OF ACCIDENTS UNDER AIRCRAFT
FINANCIAL RESPONSIBILITY LAW

Section

- 14.510 Duty of Owner to Report

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

14.520	Deposit of Security - When Required
14.530	Exceptions to Requirements for Posting of Security
14.540	Reduction of Security
14.550	Custody and Disposition of Security
14.560	Penalties
14.570	Self-Insurers
14.580	Fleet Policy
14.585	Duration of Suspension
14.590	Return of Security
14.595	Multiple Owners
14.597	Exceptions
SUBPART F: AIRPORTS	
Section	
14.610	Operation Without Certificate of Approval Unlawful
14.620	Application for Certificate of Approval
14.625	Airport Classification
14.630	Application for Transfer of Certificate of Approval
14.640	Alteration or Extension of an Existing Airport Unlawful Without
	Certificates of Approval
14.650	Standards for Issuing Certificate of Approval
14.655	Location
14.660	Design and Layout
14.665	Obstructions
14.670	Airport Marking
14.675	Facilities
14.680	Airports for Non-Conventional Aircraft
14.685	Responsibility of Certificate Holder
14.690	Posting of Rules
14.695	Waivers

SUBPART G: RESTRICTED LANDING AREAS

Section	
14.710	Operation Without Certificate of Approval Unlawful
14.720	Application for Certificate of Approval
14.730	Transfer of Certificates
14.740	Alteration or Extension of an Existing Restricted Landing Area
	Unlawful Without Certificate of Approval
14.750	Standards for Issuing Certificates of Approval
14.760	Location
14.765	Landing Area
14.770	Responsibility of Certificate Holder
14.775	Restrictions on Use
14.780	Exceptions
14.785	Illinois Aeronautical Chart
14.790	Restricted Landing Area - Heliport
14.792	Restricted Landing Area - Heliport Approach Zones

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

14.795	Subchapter g to Apply to Restricted Landing Area - Heliports
14.797	Restricted Landing Area - Balloon Ports
14.799	Waivers
SUBPART H: SPECIAL PURPOSE AIRCRAFT	
Section	
14.810	Operation Without Certificate of Registration Unlawful
14.820	Special Purpose Aircraft Designation
14.830	Registration
14.840	Exemption from Registration
14.850	Compliance with Aircraft Registration
14.860	Principal Base of Operations
14.865	Liability
14.870	Prohibitions on Use
14.875	Proximity
14.880	Glider-Sailplane Operations
14.885	Balloon Flight and Operations
14.890	Saving Clause

SUBPART I: PRACTICE AND PROCEDURE

Section	
14.902	Purpose and Applicability
14.905	Filing of Documents
14.910	Formal Specifications
14.915	Reproduction of Documents
14.920	Number of Copies
14.925	Verification of Documents
14.930	Cover-Page Identity of Filer
14.935	Informal Documents
14.940	Amendment of Documents
14.945	Responsive Documents
14.950	Service of Documents
14.955	Appearances
14.960	Informal Participation in Hearing Cases
14.965	Formal Participations
14.970	Computation of Time
14.975	Extensions of Time
14.980	Motions
14.985	Answers to Motions
14.990	Subpoenas
14.995	Hearings-Referee Administrative Law Judge ("ALJ")
14.997	Hearings
14.998	Petition for Rehearing
14.999	Judicial Review (Repealed)

APPENDIX A

Closed Airport and Closed Runway Marker
Mono-Directional Airport Minimum Standards

APPENDIX B

DEPARTMENT OF TRANSPORTATION
NOTICE OF ADOPTED AMENDMENTS

APPENDIX C	Approach Zones for Heliports Including Glide and Transition Slopes
APPENDIX D	Restricted Landing Area Farming and Obstruction Standards Plat
TABLE A	Visual Flight Rules
TABLE B	Airport Physical Standards
TABLE C	Heliport Physical Standards
TABLE D	Airport Classification Standards

AUTHORITY: Implementing and authorized by Sections 28, 42(3), and 47 of the Illinois Aeronautics Act (Ill. Rev. Stat. 1991, ch. 15 1/2, pars. 22.28; 22.42(3); and 22.47) [620 ILCS 5/28, 42(3) and 47].

SOURCE: Filed December 28, 1977; codified at 8 Ill. Reg. 19592; amended at 9 Ill. Reg. 4141, effective March 13, 1985; amended at 9 Ill. Reg. 20914, effective December 12, 1985; amended at 18 Ill. Reg. 13461, effective AUG 19 1994.

SUBPART I: PRACTICE AND PROCEDURE

Section 14.902 Purpose and Applicability

a) This Subpart serves as a guideline for the conduct of proceedings before the Division of Aeronautics. Because the Division functions under several statutes and because the procedural requirements of those statutes are not always consistent, this Subpart must be flexible and must vest significant discretion in how a proceeding is to be conducted in the Director of Aeronautics or the Administrative Law Judge ("ALJ") assigned.

b) This Part applies only to non-contested cases such as hearings relating to the promulgation of airport hazard zoning regulations and the issuance (cf., involuntary revocation) of certificates for airports and restricted landing areas. Hearings for a "contested case," as that term is defined in the Illinois Administrative Procedure Act (IPA) [5 ILCS 100], will be conducted in accordance with applicable requirements of the IPA, regulations of the Illinois Department of Transportation, and the procedures established by the Illinois Aeronautics Act [620 ILCS 5].

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 14.905 Filing of Documents

Documents required to be filed with the Illinois Department of Transportation, Division of Aeronautics, Illinois Department of Transportation, shall be filed with the Director of the Division unless an administrative law judge ("ALJ") is involved. If an ALJ is involved, all materials shall be filed with the ALJ. Such documents shall be deemed filed when they are actually received by the Division and accompanied by the filing fee, if one is required.

DEPARTMENT OF TRANSPORTATION
NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 14.910 Formal Specifications

All documents filed with the Division shall be typewritten or printed. Typewritten documents shall be on strong, durable paper not larger than 8 1/2 by 11 1/4 inches, except that tables, maps, and other documents may be larger if necessary and if folded to the size of the document to which they are attached. Text shall be double-spaced except for footnotes and long quotations, which may be single-spaced. Type not smaller than elite shall not be used. The left margin shall not be less than 1 1/2 inches and all other margins at least one inch. If the document is bound, it shall be bound on the left side.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 14.920 Number of Copies

a) Unless otherwise specified, an executed original and one (1) true copy of each document shall be filed with the Director. The copies need not be signed but shall contain the name of the person who signs the original. Copies of signed documents shall show the date and signature(s) appearing on the original.

b) Copies of the Department's records may be obtained, upon written request and payment of the actual costs of copying, pursuant to the Freedom of Information Act [5 ILCS 140].

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 14.925 Verification of Documents

Unless otherwise required by applicable rules or regulations, every document in the nature of a pleading, including motions and answers thereto but except excepting briefs and assignments of error, shall be dated, signed and verified and every verification shall set forth that the person verifying the document has read and is familiar with the contents thereof and the attached exhibits if any that he intends and desires that in granting or denying the relief requested, the Department shall place full and complete reliance upon the accuracy of each and every statement therein contained, that he is familiar with the facts therein set forth, that every statement contained in the document is true except for any statement therein set forth on information and belief and that as to any such statement therein set forth on information and belief, he believes such statement to be true and that no such statement is misleading substantially in the following form:

VERIFICATION

I have read and am familiar with the contents of the foregoing

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

document and the attached exhibits, if any. I intend and desire that in granting or denying the relief requested, the Department shall place full and complete reliance upon the accuracy of each and every statement made in that document. I have diligently attempted to ascertain the truth of all such statements. Every statement contained in this document is true and not misleading, to the best of my knowledge and belief.

DATE:

(Source: Amended at 18 Ill. Reg. _____, effective _____)

SIGNATURE

Section 14.930 Cover-Page Identity of Filer

All documents shall identify filed-by--any--person--shall--state the name, telephone number, and post office address of the person filing the document or persons who may be served with any documents filed in the proceeding.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 14.940 Amendment of Documents

- a) A pleading may be amended prior to the filing of a responsive pleading, or if no reply is filed, prior to the publishing either of a notice of its designation for hearing on the subject matter of the pleading or of the order. Thereafter, amendments may be made only with leave of the Director or ALJ Hearings Referee.
- b) All amendments shall be consecutively numbered, commencing with Amendment No. 1, and shall clearly identify the document being amended.

- c) If properly amended, a document shall be made effective as of the time it was originally filed, but the time prescribed for the filing of an answer or further responsive document to the amendment shall be computed from the date of the filing of the amendment.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 14.945 Responsive Documents

Answers to applications, complaints, petitions, motions, or other documents or orders instituting proceedings may be filed by any interested person. Protests or memoranda of opposition or support permitted by this Part Subpart may be filed in lieu of answers or combined with answers.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 14.950 Service of Documents

- a) The Division. Formal complaints, notices, and orders shall be served by the Division.
- b) The Parties. Petitions, informal complaints, motions, answers, protests, and memoranda shall be served by the party filing the same on all other parties and on each person known to have a substantial interest in the proceeding. Responsive documents shall be served on all the party parties filing the document to which response is made.
- c) How Service May be Made. Service may be made by first class, or registered, or certified mail; by electronic means (e.g., telefax); or by personal delivery.
- d) Proof of Service. Any document required to be served by this Part, shall contain a certificate of mailing or personal delivery executed by the person serving the document.
- e) Date of Service. Whenever proof of service is made, the date of mailing or the date of personal delivery shall be the date of service.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 14.955 Appearances

- a) Who May Appear. Any party to a proceeding may appear and be heard in person or by attorney. A corporation, association, or public body or agency (including the Department) may appear and present evidence by any bona fide officer, employee, or representative.
- b) Right to Counsel. Any party to person appearing in person in any proceeding governed by this Subpart I Chapter whether in response to a subpoena or by request or permission of the Division may retain or payment of lawfully prescribed costs, procure a copy of any document submitted by him or a copy of any transcript made of his testimony.
- c) Copies of Proceedings. Any person who submits data or evidence in a proceeding governed by this Section, whether in response to a subpoena or by request or permission of the Division may retain or payment of lawfully prescribed costs, procure a copy of any document submitted by him or a copy of any transcript made of his testimony.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 14.960 Informal Participation in Hearing Cases

In any proceeding which is to be determined after notice and hearing, any interested person may appear and present evidence which is relevant to the issues. Such evidence shall be presented in either oral or written form as the

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

Section 14.995 Hearings-Referee Administrative Law Judge ("ALJ")

a) Qualification. An ALJ must have knowledge of, and be willing to act consistent with, the policies of the Division of Aeronautics.

b) Duties and Authority. The ALJ ~~Hearings-Referee~~ shall have the following powers, in addition to any other specified in this ~~Chapter~~ Subpart:

- ~~41~~1) To give notice concerning and to hold hearings;
- ~~42~~2) To administer oaths and affirmations;
- ~~43~~3) To examine witnesses;
- ~~44~~4) To issue subpoenas and to take or cause depositions to be taken;
- ~~45~~5) To rule upon offers of proof and to receive relevant evidence;
- ~~46~~6) To regulate the course and conduct of the hearing;
- ~~47~~7) To determine the form in which evidence shall be submitted and the number of copies to be supplied and served;
- ~~48~~8) To hold conferences, before or during the hearing, for the settlement or simplification of issues;
- ~~49~~9) To rule on motions and to dispose of procedural requests or similar matters;
- ~~50~~10) To grant extensions of time on any matter connected with the hearing;
- ~~51~~11) To take any other action authorized by this ~~Section~~ Part, or by the any Illinois ~~Aeronautics-Act~~ aeronautics statute;
- ~~12~~12) To waive, or otherwise grant a variance from, such procedural requirements as may be helpful to avoid an impracticable or unduly harsh consequence and which would not result in harm, cost, or inconvenience to other persons; and
- ~~13~~13) To rule on requests for protective orders which would prevent the disclosure of proprietary or personal information whose disclosure would not be a public benefit.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 14.997 Hearings

- a) Notice. The ALJ ~~Hearings-Referee~~ to whom the case is assigned or the Division shall give the parties reasonable notice of the time and place for a hearing or of the change in the date and place of a hearing and the nature of such hearing ~~in accordance with the Illinois Aeronautics-Act~~.
- b) Evidence. Evidence presented at the hearing shall be given under oath unless waived by the ALJ and shall be limited to material evidence relevant to the issues in the proceedings, ~~but neither~~ Neither the Division nor the ALJ ~~Hearings-Referee~~ shall be bound by the technical rules of evidence or pleading, and no informality in any proceeding in the manner of content or of testimony taken in a proceeding shall invalidate any agency order, decision, ~~order~~ ruling or regulation made, approved, or confirmed by the Division.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

- c) ~~Judicial~~ Administrative Notice. The Division will take ~~judicial~~ notice of its orders, decisions, rules and regulations, and of any fact of which the courts and administrative agencies of the State of Illinois may take official ~~judicially~~ notice.
- d) Limitation of Witnesses. The ALJ ~~Hearings-Referee~~ may limit the number of witnesses whose testimony is merely cumulative. The ALJ shall excuse, and remove if necessary, witnesses not offering relevant and material evidence.
- e) Construction. Rules with respect to evidence shall be applied toward the end that all needful and proper evidence shall be conveniently, inexpensively, and speedily heard while preserving the substantial rights of the parties and the witnesses.
- f) Objections to Evidence. Objections to the admission or exclusion of evidence shall be in short form, stating the grounds of objections relied upon, and the transcript shall not include argument or debate thereon except as ordered by the ALJ ~~Hearings-Referee~~. Rulings on such objections shall be a part of the transcript, to the extent that a transcript may exist.
- g) Exceptions. Formal exceptions to the rulings of the ALJ ~~Hearings-Referee~~ made during the course of the hearing are unnecessary. For all purposes for which an exception otherwise would be taken, it is sufficient that a party, at the time of the ruling of the ALJ ~~Hearings-Referee~~ is made or sought, makes known the action he desires the ALJ ~~Hearings-Referee~~ to take or his objection to an action taken, and his grounds therefor.
- h) Offers of Proof. Any offer of proof made in connection with an objection taken to any ruling of the ALJ ~~Hearings-Referee~~ rejecting or excluding proffered oral testimony shall consist of a statement of the substance of the evidence which counsel contends would be adduced by such testimony, and if the excluded evidence consists of evidence in documentary or written form or reference to documents or records, a copy of such evidence shall be marked for identification and shall constitute the offer of proof.
- i) Substitution of Copies for Original Exhibits. In his discretion, the ALJ ~~Hearings-Referee~~ may permit a party to withdraw original documents offered in evidence and substitute true copies in lieu thereof.
- j) ~~Transcript~~ Record of Hearings. The ~~Hearings-Referee~~ ALJ shall ~~designate~~ determine whether the hearing shall be recorded electronically or whether a reporter shall to record and prepare a transcript of the hearing. The ALJ shall make necessary arrangements for recording the hearing. If the record is made electronically, the unaltered tape or other recording medium shall be kept for three years. The tape shall be transcribed when the Division determines that it is necessary to do so (for example, for an appeal). A statutory requirement that testimony at a hearing be taken down by a stenographer shall be satisfied by recording the testimony electronically and preparing a transcript from the electronic recording. The failure to have a stenographer prepare a transcript shall not invalidate a hearing. ~~Copies shall be supplied to parties on~~

DEPARTMENT OF TRANSPORTATION
NOTICE OF ADOPTED AMENDMENTS

request-at-a-reasonable-rate:

k) Corrections to Transcript. Changes in the official transcript may be made only when they involve errors affecting substance are found. A motion to correct a transcript may be filed within 10 days after notice of official transcript is sent to a party and before an order is entered received-by-the-Division. If no objection is received, the transcript shall be automatically corrected,--if If an objection is received, the ALJ Hearings-Referee shall enter an Order on the motion. Briefs and Arguments. The ALJ Hearings-Referee may permit oral argument to be presented to him at the close of the hearing. Briefs and written argument may be submitted to him if permitted by him in his discretion and within the time prescribed by him. Copies of briefs and written arguments shall be served on all parties.

1)

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 14.998 Petition for Rehearing

Within thirty (30) days after the service of any ~~rule~~ ruling, ~~regulation~~ order, or decision of the Department based upon a hearing, any party or person affected thereby may apply for a rehearing thereof in respect of any matter connected therewith specified in such application for rehearing. Petitions for rehearing shall be in writing, and shall state specifically the grounds relied upon for such rehearing, and shall be accompanied by proof of service thereof upon all the parties and persons affected thereby.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 14.999 Judicial Review (Repealed)

All final administrative decisions of the Division hereunder shall be subject to judicial review pursuant to the provisions of the Administrative Review Law approved May 8, 1945 (Ill. Rev. Stat. 1981, ch. 110, par. 3-10) et seq. and all amendments and modifications thereof, and the rules adopted pursuant thereto,--the term "administrative decision" is defined as in Section 1 of the Administrative Review Law.

(Source: Repealed at 18 Ill. Reg. _____, effective _____)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES
NOTICE OF PEREMPTORY AMENDMENT

- 1) Heading of the Part: Pay Plan
- 2) Code Citation: 80 Ill. Adm. Code 310
- 3) Section Number: Peremptory Action:

310.270	Amended
310.Appendix A, Table E	Amended
310.Appendix A, Table F	Amended
310.Appendix A, Table K	Amended
310.Appendix A, Table M	Amended
- 4) Reference to the specific State or Federal Court Order, Federal Rule or Statute which requires this Peremptory Rulemaking:
 Section 2 of the Illinois Administrative Procedures Act (Ill. Rev. Stat. 1991, ch. 127, par. 1002) [5 ILCS 100/1-1]

5) Statutory Authority: Ill. Rev. Stat. 1991, ch. 48, par. 1607 [20 ILCS 4158a(2)]

6) Effective Date: August 17, 1994

7) A Complete Description of the Subjects and Issues Involved:

These amendments to the Pay Plan reflect the recent three year Collective Bargaining Agreements for the Teamsters' Union Locals #330 and #25, Registered Nurses, and Conservation Police Officers, for July 1, 1994 through June 30, 1997. Also, in Section 310.270, Legislated and Contracted Rate, the annual salary for the Arbitrator was increased from \$65,649 to \$68,774, effective July 1, 1994.

In Section 310.Tables E and F, the Teamsters' Union Locals #330 and #25 negotiations resulted in pay increases of \$100/month, effective July 1, 1994; \$120/month, effective July 1, 1995; and \$125/month, effective July 1, 1996, for all class titles.

In Section 310.Table K (RC-023), the Illinois Nurses Association negotiations resulted in pay increases of 3% for July 1, 1994, July 1, 1995, and July 1, 1996. The longevity pay for the Registered Nurses who have three or more years of creditable service on Step 7 in the same pay grade will remain at an additional \$25.00/month during the contract period.

In Section 310.Table M (RC-110), the Conservation Police Lodge negotiations resulted in general increases of 3% for July 1, 1994, July 1, 1995, and July 1, 1996.

- 8) Does this rulemaking contain an automatic repeal date? No

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

If "yes", please specify date:

9) Date Filed in Agency's Principal Office: August 17, 1994

10) Is this Rule in compliance with Section 5-50 of the Illinois Administrative Procedure Act? Yes.

11) Are there any proposed amendments pending to this part? Yes

Section Numbers	Proposed Action	Ill. Reg. Citation
310.100	Amended	18 Ill. Reg. 10979 (July 15, 1994)
310.110	Amended	18 Ill. Reg. 10979 (July 15, 1994)
310.280	Amended	18 Ill. Reg. 10979 (July 15, 1994)
310.Appendix B	Amended	18 Ill. Reg. 10979 (July 15, 1994)
310.495	Amended	18 Ill. Reg. 12052 (August 5, 1994)
310.Appendix G	Amended	18 Ill. Reg. 12052 (August 5, 1994)

12) Statement of Statewide Objectives:

These amendments to the Pay Plan pertain only to State employees subject to the Personnel Code and do not set out any guidelines that are to be followed by local or other jurisdictional bodies within the State.

13) The name, address and telephone number of the person to whom information and questions concerning this peremptory rule shall be directed to:

Within 45 days, comments should be written and addressed to:

Mr. Michael Murphy
Department of Central Management Services
Division of Technical Services
504 William G. Stratton Building
Springfield, Illinois 62706

Telephone: (217) 782-5601

The full text of the Peremptory Amendment is as follows:

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES

SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND

POSITION CLASSIFICATIONS

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

Section	
310.20	Policy and Responsibilities
310.30	Jurisdiction
310.40	Pay Schedules
310.50	Definitions
310.60	Conversion of Base Salary to Pay Period Units
310.70	Conversion of Base Salary to Daily or Hourly Equivalents
310.80	Increases in Pay
310.90	Decreases in Pay
310.100	Other Pay Provisions
EMERGENCY	
310.110	Implementation of Pay Plan Changes for Fiscal Year 1993 1995
EMERGENCY	
310.120	Interpretation and Application of Pay Plan
310.130	Effective Date
310.140	Reinstitution of Within Grade Salary Increases
310.150	Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, Effective July 1, 1984 (Repealed)

SUBPART B: SCHEDULE OF RATES

Section	
310.205	Introduction
310.210	Prevailing Rate
310.220	Negotiated Rate
310.230	Part-Time Daily or Hourly Special Services Rate
310.240	Hourly Rate
310.250	Member, Patient and Inmate Rate
310.260	Trainee Rate
310.270	Legislated and Contracted Rate
310.280	Designated Rate
310.290	Out-of-State or Foreign Service Rate
310.300	Educator Schedule for RC-063 and HR-010
310.310	Physician Specialist Rate
310.320	Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections
310.330	Excluded Classes Rate (Repealed)

SUBPART C: MERIT COMPENSATION SYSTEM

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

Section	Jurisdiction
310.410	Objectives
310.420	Responsibilities
310.430	Merit Compensation Salary Schedule
310.440	Procedures for Determining Annual Merit Increases
310.450	Intermittent Merit Increase
310.455	Merit Zone
310.460	Other Pay Increases
310.470	Adjustment
310.480	Decreases in Pay
310.490	Other Pay Provisions
310.495	Senior Public Service Administrator System
310.500	Definitions
310.510	Conversion of Base Salary to Pay Period Units
310.520	Conversion of Base Salary to Daily or Hourly Equivalents
310.530	Implementation
310.540	Annual Merit Increase Guidechart for Fiscal Year 1993
310.550	Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)
APPENDIX A	Negotiated Rates of Pay
TABLE A	HR-190 (Department of Central Management Services - State of Illinois Building - SEIU)
TABLE B	HR-200 (Department of Labor - Chicago, Illinois - SEIU)
TABLE C	RC-069 (Firefighters, AFSCME)
TABLE D	HR-001 (Teamsters Local #726)
TABLE E	RC-020 (Teamsters Local #330)
TABLE F	RC-019 (Teamsters Local #25)
TABLE G	RC-045 (Automotive Mechanics, IFPE)
TABLE H	RC-006 (Corrections Employees, AFSCME)
TABLE I	RC-009 (Institutional Employees, AFSCME)
TABLE J	RC-014 (Clerical Employees, AFSCME)
TABLE K	RC-023 (Registered Nurses, INA)
TABLE L	VR-004 (Illinois State Treasurer's Office Employees, Teamsters and IFT)
TABLE M	RC-110 (Conservation Police Lodge)
TABLE N	RC-010 (Professional Legal Unit, AFSCME)
TABLE O	RC-028 (Paraprofessional Human Services Employees, AFSCME)
TABLE P	RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)
TABLE Q	RC-033 (Meat Inspectors, IFPE)
TABLE R	RC-042 (Residual Maintenance Workers, AFSCME)
TABLE S	HR-012 (Fair Employment Practices Employees, SEIU)
TABLE T	HR-010 (Teachers of Deaf, IFT)
TABLE U	HR-010 (Teachers of Deaf, Extracurricular Paid Activities)
TABLE V	CU-500 (Corrections, Meet and Confer Employees)
TABLE W	RC-062 (Technical Employees, AFSCME)
TABLE X	RC-063 (Professional Employees, AFSCME)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

TABLE Y	RC-063 (Educators, AFSCME)
TABLE Z	RC-063 (Physicians, AFSCME)
APPENDIX B	Schedule of Salary Grades - Monthly and Annual Rates of Pay for Fiscal Year 1994
EMERGENCY	
APPENDIX C	Medical Administrator Rates for Fiscal Year 1994
APPENDIX D	Merit Compensation System Salary Schedule for Fiscal Year 1994
APPENDIX E	Teaching Salary Schedule (Repealed)
APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
APPENDIX G	Senior Public Service Administrator Salary Schedule, effective August 1, 1993

AUTHORITY: Implementing and authorized by Section 8a(2) of the Personnel Code (Ill. Rev. Stat. 1991, ch. 127, par. 63b108a2) [20 ILCS 415/8a(2)].

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; peremptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 1765, effective September 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; peremptory amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; peremptory amendment at 11 Ill. Reg.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

3363, effective February 3, 1987; peremptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; peremptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; peremptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; peremptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; peremptory amendment 11 Ill. Reg. 17919, effective October 19, 1987; peremptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; peremptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; peremptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; peremptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; peremptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; peremptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; peremptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; peremptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; peremptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; peremptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; peremptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; peremptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; peremptory amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; peremptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; peremptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; peremptory amendment at 18 Ill. Reg. 13476, effective AUG 17 1994.

Section 310.270 Legislated and Contracted Rate

The rate of pay for employees occupying positions which require payment in accordance with specified rates set forth in legislation or by contract. The positions and rates of pay in this Section are as follows:

Arbitrator	Annual Salary
	<u>\$65,649</u>
	<u>\$68,774</u>

When an Arbitrator is serving as an acting Commissioner of the Illinois Industrial Commission, the appropriate rate will be the same as the rate set for a Commissioner.

(Source: Peremptory amendment at 18 Ill. Reg. _____, effective _____)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

Section 310. APPENDIX A Negotiated Rates of Pay

Section 310. TABLE E RC-020 (Teamsters Local #330)

A) Departments--of--Children-and-Family-Services--Corrections--Employment
Security--Mental-Health-and-Developmental-Disabilities---(Counties--of
BuPeger-Kane-Kankakee-Kendall-Baker-McHenry-and-Will)

July-17-1992
Mo: Hr:

Maintenance-Equipment-Operator

2445.00 15.70

B) Department--of--Transportation---Division-of-Highways---(Counties--of
BuPeger-Kane-Kankakee-Kendall-Baker-McHenry-and-Will)

July-17-1992
Mo: Hr:

Bridge-Mechanic

Mo: Hr:

2370.00 15.97

Bridge-Tender

Mo: Hr:

2377.00 14.01

Highway-Maintenance-Head-Worker

Mo: Hr:

2074.00 16.52

Highway-Maintenance-Head-Worker

Mo: Hr:

2091.40 16.02

(Bridge-Crew)

Mo: Hr:

2324.00 16.00

Worker--(Head-Head-Worker)

Mo: Hr:

2445.00 15.70

Highway-Maintainer

Mo: Hr:

2362.40 15.00

Highway-Maintainer

Mo: Hr:

2452.00 14.09

Janitor-I

Mo: Hr:

2403.00 14.37

Janitor-II

Mo: Hr:

2409.00 15.77

Bobber-Maintenance-Head-Worker

Mo: Hr:

2653.00 15.75

Maintenance-Worker

Mo: Hr:

2609.00 15.45

Power-Shovel-Operator

Mo: Hr:

2695.00 16.06

Power-Shovel-Operator

Mo: Hr:

2612.40 16.00

(Maintenance--(Bridge-Crew)

Mo: Hr:

2479.00 14.35

Security-Guard-I

Mo: Hr:

2527.00 14.52

Security-Guard-II

Mo: Hr:

2049.00 16.37

Silk-Screen-Operator

Mo: Hr:

2452.00 14.09

Janitor-I

Mo: Hr:

2403.00 14.37

Janitor-II

Mo: Hr:

2409.00 15.77

Maintenance-Equipment-Operator

Mo: Hr:

2609.00 15.45

(all-divisions)

Mo: Hr:

2479.00 14.35

Security-Guard-I

Mo: Hr:

2537.00 14.35

C) Department--of--Central-Management-Services---Division-of-Vehicles
(Counties--of--BuPeger-Kane-Kankakee-Kendall-Baker-McHenry-and-Will)

July-17-1992
Mo: Hr:

Janitor-I

Mo: Hr:

2452.00 14.09

Janitor-II

Mo: Hr:

2403.00 14.37

Maintenance-Equipment-Operator

Mo: Hr:

2445.00 15.70

(all-divisions)

Mo: Hr:

2609.00 15.45

Maintenance-Worker

Mo: Hr:

2479.00 14.35

Security-Guard-I

Mo: Hr:

2537.00 14.35

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

B) Departments--of--Children-and-Family-Services--Corrections--Employment
Security--Mental-Health-and-Developmental-Disabilities---(Counties--of
BuPeger-Kane-Kankakee-Kendall-Baker-McHenry-and-Will)

Jan-17-1993
Mo: Hr:

Maintenance-Equipment
Operator

2000.00 16.09

B) Department--of--Transportation---Division-of-Highways---(Counties--of
BuPeger-Kane-Kankakee-Kendall-Baker-McHenry-and-Will)

Jan-17-1993
Mo: Hr:

Bridge-Mechanic

Mo: Hr:

2973.00 17.09

Bridge-Tender

Mo: Hr:

2972.00 15.93

Highway-Maintenance-Head

Mo: Hr:

2929.00 16.03

Worker

Mo: Hr:

2946.40 16.93

Highway-Maintenance-Head

Mo: Hr:

2979.00 17.12

Worker--(Head-Head-Worker)

Mo: Hr:

2940.00 16.90

Highway-Maintainer

Mo: Hr:

2957.40 17.00

Highway-Maintainer

Mo: Hr:

2947.00 15.21

Janitor-I

Mo: Hr:

2970.00 15.99

Janitor-II

Mo: Hr:

2964.00 16.69

Bobber-Maintenance-Head

Mo: Hr:

2980.00 15.56

Worker

Mo: Hr:

2944.00 15.77

Maintenance-Worker

Mo: Hr:

2850.00 16.30

Power-Shovel-Operator

Mo: Hr:

2867.40 16.40

(Maintenance--(Bridge-Crew)

Mo: Hr:

2834.00 14.56

Security-Guard-I

Mo: Hr:

2822.00 15.64

Security-Guard-II

Mo: Hr:

2804.00 17.49

Silk-Screen-Operator

Mo: Hr:

2807.40 17.20

B) Department--of--Central-Management-Services---Division-of-Vehicles
(Counties--of--BuPeger-Kane-Kankakee-Kendall-Baker-McHenry
and-Will)

Jan-17-1993
Mo: Hr:

Janitor-I

Mo: Hr:

2647.00 15.21

Janitor-II

Mo: Hr:

2630.00 14.59

Maintenance-Equipment

Mo: Hr:

2600.00 16.09

(all-divisions)

Mo: Hr:

2647.00 15.21

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

Maintenance-Worker
Security-Guard-I
Security-Guard-II

	July 1, 1994 Mo. Hr.	July 1, 1995 Mo. Hr.	July 1, 1996 Mo. Hr.
Maintenance-Worker	2744-00	25-77	2884-00
Security-Guard-I	2534-00	14-56	2674-00
Security-Guard-II	2582-00	14-84	2722-00

A) Departments of Children and Family Services, Corrections, Employment Security, Mental Health and Developmental Disabilities - (Counties of DuPage, Kane, Kankakee, Kendall, Lake, McHenry and Will)

Maintenance Equipment
Operator

	July 1, 1994 Mo. Hr.	July 1, 1995 Mo. Hr.	July 1, 1996 Mo. Hr.
Maintenance Equipment Operator	3040.00	17.47	3160.00
		18.16	3285.00

B) Department of Transportation - Division of Highways - (Counties of DuPage, Kane, Kankakee, Kendall, Lake, McHenry and Will)

	July 1, 1994 Mo. Hr.	July 1, 1995 Mo. Hr.	July 1, 1996 Mo. Hr.
Bridge Mechanic	3073.00	17.66	3193.00
Bridge Tender	2872.00	16.51	2992.00
Highway Maintenance Lead Worker	3169.00	18.21	3289.00
Highway Maintenance Lead Worker (Bridge Crew)	3186.40	18.31	3332.50
Highway Maintenance Lead Worker (Lead Lead Worker)	3219.00	18.50	3339.00
Highway Maintainer	3040.00	17.47	3160.00
Highway Maintainer (Bridge Crew)	3057.40	17.57	3203.50
Janitor I	2747.00	15.79	2867.00
Janitor II	2778.00	15.97	2898.00
Labor Maintenance Lead Worker	3004.00	17.26	3124.00
Laborer (Maintenance)	2948.00	16.94	3068.00
Maintenance Worker	2984.00	17.15	3104.00
Power Shovel Operator (Maintenance)	3139.00	18.04	3259.00
Power Shovel Operator (Maintenance) (Bridge Crew)	3156.40	18.14	3302.50
Security Guard I	2774.00	15.94	2894.00
Security Guard II	2822.00	16.22	2942.00
Silk Screen Operator	3144.00	18.07	3284.00

C) Department of Central Management Services - Division of Vehicles - (Counties of DuPage, Kane, Kankakee, Kendall, Lake, McHenry and Will)

	July 1, 1994 Mo. Hr.	July 1, 1995 Mo. Hr.	July 1, 1996 Mo. Hr.
Security Guard I	2774.00	15.94	2894.00
Security Guard II	2822.00	16.22	2942.00
Silk Screen Operator	3144.00	18.07	3284.00

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

	2747.00	15.79	2867.00	16.48	2992.00	17.20
Janitor I	2747.00	15.79	2867.00	16.48	2992.00	17.20
Janitor II	2778.00	15.97	2898.00	16.66	3023.00	17.37
Maintenance Equipment Operator (all divisions)	3040.00	17.47	3160.00	18.16	3285.00	18.88
Maintenance Worker	2984.00	17.15	3104.00	17.84	3229.00	18.56
Security Guard I	2774.00	15.94	2894.00	16.63	3019.00	17.35
Security Guard II	2822.00	16.22	2942.00	16.91	3067.00	17.63

(Source: Peremptory amended at 18 Ill. Reg. _____, effective _____)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

Highway Maintenance-Head 2929-00--16-03 3069-00--17-64
 --Worker
 Highway Maintenance-Head 2946-40--16-93 3086-40--17-74
 --Worker-(Bridge-Crew)
 Highway Maintenance-Head 2979-00--17-12 3119-00--17-93
 --Worker-(Head-Head-Worker)
 Highway Maintainer 2000-00--16-09 2940-00--16-90
 Highway Maintainer 2017-40--16-19 2957-40--17-00
 --(Bridge-Crew)
 Janitor-I 2507-00--14-41 2647-00--15-21
 --(Including-Office-of
 --Administration)
 Janitor-II 2530-00--14-59 2670-00--15-39
 --(Including-Office-of
 --Administration)
 Laborer-(Maintenance) 2700-00--15-56 2040-00--16-37
 --Worker 2764-00--15-09 2904-00--16-69
 Maintenance-Worker 2744-00--15-77 2084-00--16-57
 --(Including-Office-of
 --Administration)
 Power-Shovel-Operator 2050-00--16-30 2990-00--17-10
 --(Maintenance)
 Power-Shovel-Operator 2067-40--16-40 3007-40--17-20
 --(Maintenance)-(Bridge-Crew)
 Security-Guard-I 2534-00--14-56 2674-00--15-37
 --(Including-Office-of
 --Administration)
 Security-Guard-II 2503-00--14-04 2722-00--15-64
 --(Including-Office-of
 --Administration)
 Stik-Screen-Operator 2904-00--16-69 3044-00--17-49
 H) Department--of--Central--Management--Services--Division--of
 Vehicles--Downstate--(All--Counties--Other--Than--Cook--DuPage--Kane--
 Kankakee--Kendall--Baker--McHenry--and--Will)
 Janitor-I Jan-17-1993 July-17-1993
 Mo- Hr- Mo- Hr-
 Janitor-II 2507-00--14-41 2647-00--15-21
 2530-00--14-59 2670-00--15-39
 Maintenance-Equipment 2000-00--16-09 2940-00--16-90
 --Operator-(all-divisions)
 Maintenance-Worker 2744-00--15-77 2084-00--16-57
 Security-Guard-I 2534-00--14-56 2674-00--15-37
 Security-Guard-II 2503-00--14-04 2722-00--15-64
 I) Department-of-Mental-Health--Developmental--Disabilities--Lincoln
 Developmental Center

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

Laborer-(Maintenance) Jan-17-1993 July-17-1993
 Mo- Hr- Mo- Hr-
 2700-00--15-56 2940-00--16-37
 J) Department--of--Children--and--Family--Services--Corrections--Employment
 Security--Mental-Health--Developmental--Disabilities--Public--Ad-
 Rehabilitation-Services--State-Police-Veterans-Affairs--Downstate--
 (All--Counties--Other--Than--Cook--DuPage--Kane--Kankakee--Kendall--Baker--
 McHenry--and--Will)
 Jan-17-1993 July-17-1993
 Mo- Hr- Mo- Hr-
 2000-00--16-09 2940-00--16-90
 Maintenance-Equipment
 --Operator
 K) Department--of--Transportation--Division--of--Highways--Emergency-Patrol
 --District-#0
 Jan-17-1993 July-17-1993
 Mo- Hr- Mo- Hr-
 2075-00--16-52 3015-00--17-33
 Highway-Maintainer 3004-00--17-26 3144-00--18-07
 Highway Maintenance-Head
 --Worker
 L) Department--of--Conservation
 Jan-17-1993 July-17-1993
 Mo- Hr- Mo- Hr-
 2050-00--16-30 2990-00--17-10
 Power-Shovel-Operator
 --(Maintenance)
 A) Department of Transportation - Division of Highways - Downstate - (All
 Counties Other Than Cook, DuPage, Kane, Kankakee, Kendall, Lake,
 McHenry and Will)
 July 1, 1994 July 1, 1995 July 1, 1996
 Mo. Hr. Mo. Hr. Mo. Hr.
 Bridge Mechanic 3073.00 17.66 3193.00 18.35 3318.00 19.07
 Bridge Tender 2872.00 16.51 2992.00 17.20 3117.00 17.91
 Deck Hand 2945.00 16.93 3065.00 17.61 3190.00 18.33
 Ferry Operator I 3070.00 17.64 3190.00 18.33 3315.00 19.05
 Ferry Operator II 3120.00 17.93 3240.00 18.62 3365.00 19.34
 Highway Mainte- 3169.00 18.21 3289.00 18.90 3414.00 19.62
 nce Lead Worker
 Highway Mainte- 3186.40 18.31 3332.50 19.15 3483.60 20.02
 nce Lead Worker
 (Bridge Crew)
 Highway Mainte- 3219.00 18.50 3339.00 19.19 3464.00 19.91
 nce Lead Worker
 (Lead Lead Worker)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

Highway Maintainer	3040.00	17.47	3160.00	18.16	3285.00	18.88
Highway Maintainer (Bridge Crew)	3057.40	17.57	3203.50	18.41	3354.60	19.28
Janitor I (including Office of Administration)	2747.00	15.79	2867.00	16.48	2992.00	17.20
Janitor II (including Office of Administration)	2778.00	15.97	2898.00	16.66	3023.00	17.37
Laborer (Maintenance)	2948.00	16.94	3068.00	17.63	3193.00	18.35
Labor Mainten- ance Lead Worker	3004.00	17.26	3124.00	17.95	3249.00	18.67
Maintenance Worker	2984.00	17.15	3104.00	17.84	3229.00	18.56
(Including Office of Administration)						
Power Shovel Operator (Maintenance)	3139.00	18.04	3259.00	18.73	3384.00	19.45
Power Shovel Operator (Maintenance)	3156.40	18.14	3302.50	18.98	3453.60	19.85
(Bridge Crew)						
Security Guard I (including Office of Administration)	2774.00	15.94	2894.00	16.63	3019.00	17.35
Security Guard II (including Office of Administration)	2822.00	16.22	2942.00	16.91	3067.00	17.63
Silk Screen Operator	3144.00	18.07	3264.00	18.76	3389.00	19.48

B) Department of Central Management Services - Division of Vehicles -
Downstate - (All Counties Other Than Cook, DuPage, Kane, Kankakee,
Kendall, Lake, McHenry and Will)

	July 1, 1994	July 1, 1995	July 1, 1996
	Mo.	Mo.	Mo.
	Hr.	Hr.	Hr.
Janitor I	2747.00	2867.00	2992.00
Janitor II	2778.00	2898.00	3023.00
Maintenance Equip- ment Operator (all divisions)	3040.00	3160.00	3285.00
Maintenance Worker	2984.00	3104.00	3229.00
Security Guard I	2774.00	2894.00	3019.00
Security Guard II	2822.00	2942.00	3067.00

C) Department of Mental Health and Developmental Disabilities - Lincoln
Developmental Center

	July 1, 1994	July 1, 1995	July 1, 1996
	Mo.	Mo.	Mo.
	Hr.	Hr.	Hr.
Laborer (Maintenance)	2948.00	3068.00	3193.00

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

D) Departments of Children and Family Services, Corrections, Employment
Security, Mental Health and Developmental Disabilities, Public Aid,
Rehabilitation Services, State Police, Veterans' Affairs - Downstate -
(All Counties Other Than Cook, DuPage, Kane, Kankakee, Kendall, Lake,
McHenry and Will)

	July 1, 1994	July 1, 1995	July 1, 1996
	Mo.	Mo.	Mo.
	Hr.	Hr.	Hr.
Maintenance Equip- ment Operator	3040.00	3160.00	3285.00

E) Department of Transportation - Division of Highways - Emergency Patrol
- District #8

	July 1, 1994	July 1, 1995	July 1, 1996
	Mo.	Mo.	Mo.
	Hr.	Hr.	Hr.
Highway Maintainer	3115.00	3245.00	3385.00
Highway Mainten- ance Lead Worker	3244.00	3374.00	3514.00

F) Department of Conservation

	July 1, 1994	July 1, 1995	July 1, 1996
	Mo.	Mo.	Mo.
	Hr.	Hr.	Hr.
Power Shovel (Maintenance)	3139.00	3259.00	3384.00

(Source: Peremptory at 18 Ill. Reg. _____, effective _____)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

NOTICE OF PEREMPTORY AMENDMENT

Section 310. TABLE K RC-023 (Registered Nurses, INA)

Effective:--July-17-1991

Child-Welfare-Nurse-Specialist	2256	2303	2509	2626	2753	2870	3063
Corrections-Nurse-I	2116	2228	2344	2455	2569	2681	2854
Corrections-Nurse-II	2369	2502	2634	2757	2890	3022	3217
Health-Facilities-Surveillance	2256	2303	2509	2626	2753	2870	3063
Nurse							
Nursing-Education-Assistant	2393	2534	2664	2801	2931	3064	3257
Coordinator							
Registered-Nurse-I	2016	2122	2232	2339	2446	2554	2710
Registered-Nurse-II	2256	2303	2509	2626	2753	2870	3063

Effective:--October-16-1991

S-W-B-P-S

Nursing-Acc-Assistant-Coordinator	1--	2--	3--	4--	5--	6--	7--
	2393	2534	2664	2801	2931	3064	3257

Effective:--July-17-1992

S-W-B-P-S

Child-Welfare-Nurse-Specialist	1--	2--	3--	4--	5--	6--	7--
	2312	2443	2572	2692	2822	2950	3140
Corrections-Nurse-I	2169	2284	2403	2516	2633	2748	2935
Corrections-Nurse-II	2420	2565	2700	2826	2962	3098	3297
Health-Facilities-Surveillance							
Nurse	2312	2443	2572	2692	2822	2950	3140
Nursing-Acc-Assistant-Coordinator	2453	2597	2731	2871	3004	3141	3338
Registered-Nurse-I	2066	2175	2288	2397	2507	2618	2786
Registered-Nurse-II	2312	2443	2572	2692	2822	2950	3140

NOTE:--Effective-July-17-1992, those employees who have 3-or-more-years of creditable service on Step 7 in the same pay grade shall receive an additional \$25.00 monthly.

Effective:--January-17-1993

S-W-B-P-S

Child-Welfare-Nurse-Specialist	1--	2--	3--	4--	5--	6--	7--
	2350	2492	2623	2746	2870	3009	3203
Corrections-Nurse-I	2212	2330	2451	2566	2686	2803	2984
Corrections-Nurse-II	2477	2616	2754	2883	3021	3160	3363
Health-Facilities-Surveillance	2350	2492	2623	2746	2870	3009	3203
--Nurse							
Nursing-Acc-Assistant-Coordinator	2502	2649	2786	2928	3064	3204	3405
Registered-Nurse-I	2107	2219	2334	2445	2557	2670	2842
Registered-Nurse-II	2350	2492	2623	2746	2870	3009	3203

Effective: July 1, 1994

Child Welfare Nurse Specialist	1	2	3	4	5	6	7
	2550	2696	2837	2969	3113	3254	3464
Corrections Nurse I	2393	2520	2651	2775	2905	3031	3227
Corrections Nurse II	2679	2829	2979	3118	3267	3418	3637
Health Facilities Surveillance	2550	2696	2837	2969	3113	3254	3464
Nurse							
Nursing Act Assistant Coordinator	2706	2864	3013	3166	3314	3465	3682
Registered Nurse I	2278	2400	2525	2644	2766	2888	3074
Registered Nurse II	2550	2696	2837	2969	3113	3254	3464

NOTE: Effective July 1, 1994, those employees who have three or more years of creditable service on Step 7 in the same pay grade shall receive an additional \$25.00 monthly.

Effective: July 1, 1995

S T E P S

Child Welfare Nurse Specialist	1	2	3	4	5	6	7
	2777	2922	3058	3206	3352	3568	3639
Corrections Nurse I	2596	2731	2858	2992	3122	3324	3390
Corrections Nurse II	2914	3068	3212	3365	3521	3746	3821
Health Facilities Surveillance	2777	2922	3058	3206	3352	3568	3639
Nurse							
Nursing Act Assistant Coordinator	2950	3103	3261	3413	3569	3792	3868
Registered Nurse I	2472	2601	2723	2849	2975	3166	3229
Registered Nurse II	2777	2922	3058	3206	3352	3568	3639

NOTE: Effective July 1, 1995, those employees who have three or more years of creditable service on Step 7 in the same pay grade shall receive an additional \$25.00 monthly.

Effective:--July-17-1993

S-W-B-P-S

Child-Welfare-Nurse-Specialist	1--	2--	3--	4--	5--	6--	7--
	2476	2617	2754	2893	3032	3159	3363
Corrections-Nurse-I	2323	2447	2574	2694	2820	2943	3133
Corrections-Nurse-II	2601	2747	2892	3027	3172	3318	3531
Health-Facilities-Surveillance	2476	2617	2754	2893	3032	3159	3363
--Nurse							
Nursing-Acc-Assistant-Coordinator	2627	2781	2925	3074	3217	3364	3575
Registered-Nurse-I	2312	2430	2551	2671	2805	2904	3084
Registered-Nurse-II	2476	2617	2754	2893	3032	3159	3363

Effective: July 1, 1996

S T E P S

Child Welfare Nurse Specialist	1	2	3	4	5	6	7
	3010	3150	3302	3453	3675	3748	3823
Corrections Nurse I	2813	2944	3082	3216	3424	3492	3562
Corrections Nurse II	3160	3308	3466	3627	3858	3936	4015

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

NOTICE OF PEREMPTORY AMENDMENT

Conservation-Police-Officer-II

8-Yrs	10-Yrs	14-Yrs	15-Yrs	17.5-Yrs	20-Yrs	21-Yrs	22.5-Yrs	25-Yrs
3320	3482	3482	3649	3824	4012	4062	4254	4450

Effective July 1, 1994

8 Yrs	10 Yrs	14 Yrs	15 Yrs	17.5 Yrs	20 Yrs	21 Yrs	22.5 Yrs	25 Yrs
3629	3805	3805	3987	4179	4384	4439	4648	4872

(Source: Peremptory amendment at 18 Ill. Reg. _____, effective _____)

S T E P S

1	2	3	4	5	6	7
2458	2581	2710	2845	2986	3135	3213
0000	0000	2839	2974	3115	3199	3389

LONGEVITY BONUS RATES

Conservation Police Officer I

8 Yrs	10 Yrs	14 Yrs	15 Yrs	17.5 Yrs	20 Yrs	21 Yrs	22.5 Yrs	25 Yrs
3368	3535	3535	3636	3816	4011	4011	4209	

Conservation Police Officer II

8 Yrs	10 Yrs	14 Yrs	15 Yrs	17.5 Yrs	20 Yrs	21 Yrs	22.5 Yrs	25 Yrs
3420	3586	3586	3758	3939	4132	4184	4382	4592

Effective July 1, 1995

S T E P S

1	2	3	4	5	6	7
2532	2658	2791	2930	3076	3229	3309
0000	0000	2924	3063	3208	3295	3491

LONGEVITY BONUS RATES

Conservation Police Officer I

8 Yrs	10 Yrs	14 Yrs	15 Yrs	17.5 Yrs	20 Yrs	21 Yrs	22.5 Yrs	25 Yrs
3469	3641	3641	3745	3930	4131	4131	4335	

Conservation Police Officer II

8 Yrs	10 Yrs	14 Yrs	15 Yrs	17.5 Yrs	20 Yrs	21 Yrs	22.5 Yrs	25 Yrs
3523	3694	3694	3871	4057	4256	4310	4513	4730

Effective July 1, 1996

S T E P S

1	2	3	4	5	6	7
2608	2738	2875	3018	3168	3326	3408
0000	0000	3012	3155	3304	3394	3596

LONGEVITY BONUS RATES

Conservation Police Officer I

8 Yrs	10 Yrs	14 Yrs	15 Yrs	17.5 Yrs	20 Yrs	21 Yrs	22.5 Yrs	25 Yrs
3573	3750	3750	3857	4048	4255	4255	4455	4665

Conservation Police Officer II

ILLINOIS COMMERCE COMMISSION

REQUEST FOR EXPEDITED CORRECTION

- 1) Heading of the Part: Relocation Towing
- 2) Code Citation: 92 Ill. Adm. Code 1710
- 3) Section Numbers: 1710.134
- 4) Date Proposal published in Illinois Register:

December 17, 1993, 17 Ill. Reg. 21257

- 5) Date Adoption published in Illinois Register:

June 6, 1994, 18 Ill. Reg. 8609

- 6) Summary and Purpose of Expedited Correction:

A filing error resulted in the publication of the rulemaking in the Illinois Register not being identical to the adopted text filed with the Index Department. Section 5-85 of the Illinois Administrative Procedure Act authorizes the use of the expedited correction process to correct discrepancies between adopted rule text and text published in the Illinois Register. This correction will be deemed effective 5/20/94, the effective date of the rulemaking being corrected.

- 7) Information and questions regarding this request shall be directed to:

Name: Kathy Campbell
 Address: Illinois Commerce Commission
 527 East Capitol Avenue
 PO Box 19280
 Springfield, Illinois 62794-9280
 Telephone: 217/785-4869

ILLINOIS COMMERCE COMMISSION

REQUEST FOR EXPEDITED CORRECTION

TITLE 92: TRANSPORTATION
 CHAPTER III: ILLINOIS COMMERCE COMMISSION
 SUBCHAPTER d: RELOCATION TOWING

PART 1710
 RELOCATION TOWING

SUBPART A: MISCELLANEOUS PROVISIONS

Section
 1710.10

Definitions

SUBPART B: APPLICATIONS FOR RELOCATOR'S, OPERATOR'S AND DISPATCHER'S LICENSES

Section
 1710.20
 1710.21
 1710.22

Application Forms
 Notice of Applications
 Policy on Applications

SUBPART C: RELOCATOR'S, OPERATOR'S AND DISPATCHER'S LICENSES

Section
 1710.30
 1710.31
 1710.32
 1710.33

Licenses Conditioned Upon Compliance
 Licenses To Be Carried by Holder
 Alteration of Licenses
 Relocator's Endorsement of Operator's License

SUBPART D: PROHIBITED ACTIVITIES

Section
 1710.40
 1710.41

Relocating Vehicles From Authorized Spaces
 Relocating Vehicles From Private Property Without Authorization From Property Owner

1710.42 Relocation of Vehicles Not in Accordance with Proper Posting
 1710.43 Relocating Vehicles Where Owner or Driver is Present
 1710.44 Operation of Unsafe Vehicles
 1710.45 Transacting Business at Unauthorized Locations
 1710.46 Posting Signs At Locations Where the Relocator Is Not Authorized To Operate

1710.47 Certain Types of Compensation to Relocators Prohibited
 1710.48 Compensation to Property Owners and Others

SUBPART E: POSTING OF SIGNS

Section
 1710.50
 1710.51

Posting Requirements
 Sign Specifications

ILLINOIS COMMERCE COMMISSION

REQUEST FOR EXPEDITED CORRECTION

1710.52 Removal of Signs

SUBPART F: VEHICLE IDENTIFICATION

Section
1710.60

Vehicle Identification Requirement

SUBPART G: INSURANCE REQUIREMENTS

Section
1710.70

Licenses Conditioned Upon Compliance With Insurance Requirements
Proof of Insurance or Bond Coverage
Relocator's Liability

1710.71
1710.72

SUBPART H: REQUIRED NOTIFICATIONS

Section
1710.80
1710.81

Notification of Law Enforcement Agencies
Notification of the Commission

SUBPART I: BOOKS AND RECORDS

Section
1710.90
1710.91
1710.92
1710.93

Records of Individual Relocation Tows (Repealed)
Written Authorizations to Relocate/Contracts
Maintenance of Books and Records
Audit and Inspection of Books and Records

SUBPART J: ANNUAL REPORTS

Section
1710.100

Filing Requirements

SUBPART K: INFORMATION PROVIDED TO THE PUBLIC BY RELOCATORS

Section
1710.110
1710.111

Public Information Pamphlets
Informal Complaint Form

SUBPART L: RECLAIMING RELOCATED VEHICLES

Section
1710.120
1710.121
1710.122
1710.123

Conditions Under Which Vehicles Are To Be Released
Identification of Vehicle Owner or Driver
Payment of Fees and Chargers
Hours During Which Vehicles May Be Reclaimed

SUBPART M: STORAGE LOTS

ILLINOIS COMMERCE COMMISSION

REQUEST FOR EXPEDITED CORRECTION

Section
1710.130
1710.131
1710.132
1710.133
1710.134

Ownership and Identification of Storage Lots
Security of Storage Lots
Attendance at Storage Lots
Maintenance of Records at Storage Lots
Secondary Storage Lots

SUBPART N: ENFORCEMENT

Section
1710.140

Revocation of Licenses

SUBPART O: LEASING

Section
1710.150
1710.151
1710.152

Adoption by Reference of Leasing Requirements
Supervision and Control of Leased Equipment with Drivers
Leases to be Exclusive

SUBPART P: FEES

Section
1710.160

Fees

SUBPART Q: RECORDS OF INDIVIDUAL RELOCATION TOWS

Section
1710.170
1710.171
1710.172

Relocation Tow Record Form
Use and Retention of Relocation Tow Record Forms
Public Notice

AUTHORITY: Implementing Section 18a-100 and authorized by Section 18a-200 of the Illinois Commercial Relocation of Trespassing Vehicles Law [625 ILCS 5/18a-100 and 18a-200].

SOURCE: Adopted at 3 Ill. Reg. 22, p. 49, effective May 28, 1979; amended at 7 Ill. Reg. 4142, effective April 1, 1983; codified at 8 Ill. Reg. 8912; Part recodified at 10 Ill. Reg. 18012; old Part repealed and new Part adopted 11 Ill. Reg. 17718, effective October 15, 1987; peremptory amendment at 12 Ill. Reg. 1630, effective December 23, 1987; amended at 14 Ill. Reg. 10310, effective July 1, 1990; amended at 18 Ill. Reg. 8609, effective May 20, 1994; expedited correction at 18 Ill. Reg. **13499**, effective May 20, 1994.

SUBPART M: STORAGE LOTS

Section 1710.134 Secondary Storage Lots

A licensed relocater may utilize secondary storage lots for the storage of unclaimed vehicles subject to the following conditions:

ILLINOIS COMMERCE COMMISSION

REQUEST FOR EXPEDITED CORRECTION

- a) any such lot must be owned by or under written lease for the exclusive use of the relocater; and
- b) the relocater must have notified the Commission of the location of all such lots prior to the use of such lots;
- c) a vehicle may not be moved to a secondary storage lot unless it has remained unclaimed for a period of ~~three~~ ten (10) days from the date of relocation to the relocater's primary storage lot;
- d) the relocater shall be required to retrieve ~~within a reasonable period-of-time~~ within 24 hours any vehicle stored at a secondary lot upon proper reclaiming of such vehicle in accordance with Section 1710.120 of this Part; and
- e) the relocater may not charge a vehicle owner any storage or transportation charge for the period of time necessary to retrieve a vehicle stored at a secondary lot.

(Source: Expedited correction at 18 Ill. Reg. _____, effective May 20, 1994)

COMMISSIONER OF BANKS AND TRUST COMPANIES

NOTICE OF PUBLIC INFORMATION

NOTICE OF ACCEPTANCE OF AN APPLICATION
FOR BANC ONE CORPORATION, COLUMBUS, OHIO
TO ACQUIRE AMERICAN HOLDING CO. GLENCOE, ILLINOIS

Pursuant to Section 3.071(d) of the Illinois Bank Holding Company Act of 1957, 205 ILCS 10/3.071(d) (1992), notice is hereby given that the Commissioner of Banks and Trust Companies has accepted for processing an application by Banc One Corporation, 100 East Broad Street, Columbus, Ohio, 43271, to acquire American Holding Co., 75 Aspen Lane, Glencoe, Illinois, 60022.

Interested persons who desire to comment on this proposed acquisition may submit their comments in writing no later than 14 days after the publication of this notice to:

Dina A. Mansour
Commissioner of Banks and Trust Companies
310 South Michigan Ave.
Suite 2130
Chicago, Illinois 60604

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of August 16, 1994 through August 22, 1994, with the exception of the first three PCB rules that were accepted on 8/12/94, and have been scheduled for review by the Committee at its September 13, 1994 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield, IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
9/25/94	Pollution Control Board, Organic Material Emission Standards and Limitations for Metro East Area (35 Ill Adm Code 219) (R94-12)	5/20/94 18 Ill Reg 7618	9/13/94
9/25/94	Pollution Control Board, Definitions and General Provisions (35 Ill Adm Code 211) (R94-12)	5/20/94 18 Ill Reg 7589	9/13/94
9/25/94	Pollution Control Board, Organic Material Emission Standards and Limitations for Chicago Area (35 Ill Adm Code 218) (R94-12)	5/20/94 18 Ill Reg 7602	9/13/94
9/30/94	Department of Employment Security, Wages (56 Ill Adm Code 2730)	6/24/94 18 Ill Reg 9101	9/13/94
9/30/94	Department of Employment Security, Employment (56 Ill Adm Code 2732)	6/24/94 18 Ill Reg 9067	9/13/94

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
9/30/94	Department of Employment Security, Payment of Unemployment Contributions, Interest and Penalties (56 Ill Adm Code 2765)	6/24/94 18 Ill Reg 9094	9/13/94
9/30/94	Department of Employment Security, General Provisions (56 Ill Adm Code 2960)	6/24/94 18 Ill Reg 9075	9/13/94
9/30/94	Department of Employment Security, Notices, Records, Reports (56 Ill Adm Code 2760)	6/24/94 18 Ill Reg 9082	9/13/94
9/30/94	Commissioner of Savings and Residential Finance, Savings Bank Act (38 Ill Adm Code 1075)	7/1/94 18 Ill Reg 9858	9/13/94
9/30/94	Department of Agriculture, Animal Welfare Act (8 Ill Adm Code 25)	6/24/94 18 Ill Reg 8993	9/13/94
9/30/94	Department of Agriculture, Animal Control Act (8 Ill Adm Code 30)	6/24/94 18 Ill Reg 8972	9/13/94
9/30/94	Department of Agriculture, Humane Care for Animals Act (8 Ill Adm Code 35)	6/24/94 18 Ill Reg 9008	9/13/94
9/30/94	Department of Agriculture, Horsemeat (8 Ill Adm Code 70)	6/24/94 18 Ill Reg 9003	9/13/94

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
9/30/94	Department of Agriculture, Refrigerated Warehouses Act (8 Ill Adm Code 515)	6/24/94 18 Ill Reg 9033	9/13/94
9/30/94	Pollution Control Board, Petroleum Underground Storage Tanks (35 Ill Adm Code 732)	4/8/94 18 Ill Reg 5403	9/13/94
9/30/94	Pollution Control Board, Definitions and General Provisions (35 Ill Adm Code 211)	6/3/94 18 Ill Reg 8331	9/13/94
9/30/94	Pollution Control Board, Permits and General Provisions (35 Ill Adm Code 201)	6/3/94 18 Ill Reg 8347	9/13/94
10/5/94	Department of Public Aid, Child Support Enforcement (89 Ill Adm Code 160)	9/24/93 17 Ill Reg 15229	9/13/94
10/5/94	Department of Conservation, Falconry and the Captive Propagation of Raptors (17 Ill Adm Code 1590)	6/24/94 18 Ill Reg 9039	9/13/94
10/5/94	Illinois Commerce Commission, Pay-Per-Call Services (83 Ill Adm Code 772)	5/13/94 18 Ill Reg 7156	9/13/94

EXECUTIVE ORDERS

94-6
EXECUTIVE ORDER CREATING AN
ADVISORY PANEL ON TRS RETIREE HEALTH INSURANCE

Whereas, the Illinois Pension Code currently requires the Teachers' Retirement System of the State of Illinois to offer a program of group health insurance to its benefit recipients and eligible dependents; and

Whereas, increased health insurance plan costs and changes in the mix of financial support have increased reliance upon subsidization of the health plan; and

Whereas, additional retirees are expected to enroll in this health plan in the near future; and

Therefore, I, Jim Edgar, hereby order the following:

I. Creation

There is established an Advisory Panel on TRS Retiree Health Insurance.

II. Purposes

The duties of the Advisory Panel shall be:

A. To evaluate the existing Teachers' Retirement System group health insurance program for retirees, explore alternatives, and make recommendations;

B. To identify and evaluate appropriate future funding sources and levels of contribution, and make recommendations;

C. To develop proposed legislation, as necessary, to implement the Panel's recommendations;

D. To prepare and issue by the fall legislative session, a written report of the Panel's findings and recommendations to the Governor, the General Assembly, and the Teachers' Retirement System Board of Trustees.

III. Membership

A. The Panel shall consist of 16 members.

B. Members of the Panel shall be appointed by the Governor and the Governor shall designate from those appointed a Chairperson.

C. State government representation on the Panel shall include representation from the Office of the Governor, the Teachers' Retirement System, the Director of the Department of Central Management Services, the Director of the Bureau of the Budget and a member of the State Board of Education.

D. Additional panel members shall include representatives of statewide elementary and secondary school organizations, persons with expertise in health insurance programs, business officials with experience in dealing with pension and health insurance matters, a representative of a retired teachers' organization and legal counsel with appropriate expertise.

E. Members will serve without compensation.

F. The Advisory Panel will be provided staff support services by the Office of the Governor, the Teachers' Retirement System and the Bureau of the Budget.

IV. Effective Date

This Executive Order Number Six (1994) shall be effective upon filing with the Secretary of State and shall be repealed effective December 31, 1994.
 Issued by the Governor August 19, 1994.
 Filed with the Secretary of State August 19, 1994.

PROCLAMATIONS

94-414

CHICAGO INTERNATIONAL CHILDREN'S FILM FESTIVAL WEEK

Whereas, the Chicago International Children's Film Festival (CICFF), now in its 11th year, will run from Friday, October 7 through Sunday, October 16; and

Whereas, during the past ten years, the Festival has become the foremost festival of children's films in the United States, involving both adult and child juries and an international jury established to designate the film which best illustrates the United Nations Declaration of the Rights of the Child; and

Whereas, the children's jury of the Festival provides a unique and rewarding opportunity for young people to employ critical thinking skills; and

Whereas, since 1975, the parent organization of the CICFF, Facets Multimedia, a not-for-profit film and theatre organization, has been providing Chicago-area children with innovative and inspiring arts programs as an alternative to violent, exploitative media; and

Whereas, the festival is made possible, in part, by grants from the John D. and Catherine T. MacArthur Foundation, the National Endowment for the Arts, the Illinois Arts Council, the Sara Lee Foundation, Seabury Foundation, Water Tower Trust & Savings Bank, the Lloyd A. Fry Foundation, the Polk Bros. Foundation, American Express Company, CityArts III, the Department of Cultural Affairs, WPMR Channel 50 Foundation, American Airlines, the Children's Care Foundation, Marshall Field's, the Chicago Tokyo Bank, the Claridge Hotel, the Chicago Public Library, and the Chicago Cultural Center; and

Whereas, the Chicago International Children's Film Festival will screen more than 130 films from 20 nations, providing programming that offers films that stimulate, incite curiosity, entertain, and supplement education as well as investigate cultures from around the world, allowing our local multi-ethnic communities to celebrate their heritage;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 7-16, 1994, as CHICAGO INTERNATIONAL CHILDREN'S FILM FESTIVAL WEEK in Illinois.

Issued by the Governor August 12, 1994.

Filed with the Secretary of State August 22, 1994.

94-415

LINCOLN AWARD FOR BUSINESS EXCELLENCE ESTABLISHED

Whereas, the quality of Illinois products and services are essential to Illinois's success in today's highly competitive, global economy; and

Whereas, the businesses that emphasize quality are those that are most competitive in the worldwide marketplace; and

Whereas, Illinois educational institutions must establish and meet standards of quality instruction if they are to produce graduates capable of life-long employment and productivity; and

Whereas, Illinois government agencies must also place emphasis on quality if they are to deliver effective and efficient service; and

Whereas, we in Illinois encourage Illinois business organizations, educational institutions, and government agencies to pursue total quality in all they do; and

Whereas, the Lincoln Award for Business Excellence, patterned after the Malcolm Baldrige National Quality Award, will recognize the achievements of

those organizations which implement a total quality philosophy and improve the quality of their products and services, providing an example for others to follow. The program will promote the continued improvement of quality, customer satisfaction, and global competitiveness of Illinois organizations by educating Illinoisans about quality improvement, fostering the pursuit of quality in all aspects of Illinois life, and recognizing excellence in quality leadership; and

Whereas, the Lincoln Award for Business Excellence will be administered by the Lincoln Award for Business Excellence Foundation, a privately funded, not-for-profit organization whose goal is to promote quality in industry, services, health care, education, and government throughout Illinois;

Therefore, I, Jim Edgar, Governor of the State of Illinois, applaud the recent initiative by several Illinois businesses to establish a Lincoln Award for Business Excellence and wish them success in their venture.

Issued by the Governor August 12, 1994.

Filed with the Secretary of State August 22, 1994.

94-416

MERRILL'S MARAUDER'S ASSOCIATION DAY

Whereas, at the Quebec Conference in August 1943, President Roosevelt, Prime Minister Churchill, and other Allied leaders created an American ground unit, the Marauders, with a long range mission of penetrating enemy lines in Burma. Their goal was to destroy the Japanese communications and supply lines and play havoc with the enemy forces while an attempt was made to reopen the Burma Road, which was a vital link between India and China; and

Whereas, the Marauders were the first American troops to fight on the Asian continent in World War II. With no tanks or heavy artillery to support them, they walked more than 1,000 miles through extremely dense and almost impenetrable jungles and came out with glory; and

Whereas, for their accomplishments in Burma, the Marauders were awarded the Presidential Unit Citation and Commendation. Each Marauder was also awarded the Bronze Star Decoration; and

Whereas, several years after World War II, surviving Marauders banded together and sought to reactivate their famous unit. In the spring of 1969, the unit was finally reactivated. On November 1, 1974, the 1st Battalion Rangers, 75th Infantry, of Merrill's Marauders, was officially activated and presented with the Marauder colors and battle streamers by representatives of the original Merrill's Marauders of World War II fame; and

Whereas, in 1984, on orders of the then Secretary of the Army, John O. Marsh, Jr., the 75th Infantry Rangers were given regimental status with Headquarters and its 3rd Battalion based at Fort Benning, Georgia; and

Whereas, Merrill's Marauders will reunite on September 2, 1994, to mark the 48th annual reunion of the Merrill's Marauder's Association, Inc.;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 2, 1994, as MERRILL'S MARAUDER'S ASSOCIATION DAY in Illinois in recognition of these fine military troops.

Issued by the Governor August 12, 1994.

Filed with the Secretary of State August 22, 1994.

94-417

MEXICAN INDEPENDENCE MONTH

Whereas, the Sociedad Civica Mexicana de Illinois, Inc. is a

not-for-profit organization that seeks to perpetuate the customs and traditions of Mexican culture and promote goodwill and understanding among all Illinoisans; and

Whereas, the Sociedad Civica Mexicana de Illinois, Inc. has established a fund to grant \$1,000 scholarships to Latino students; and

Whereas, the Sociedad Civica Mexicana de Illinois, Inc. has sponsored the Fiestas Patrias since 1969; and

Whereas, President Lic. Carlos Salinas de Gortari will send his official representative to crown the queen of Mexican festivities at the Aztec Banquet; and

Whereas, 1994 marks the 184th anniversary of Mexico's independence and the 25th anniversary of the Sociedad Civica Mexicana de Illinois, Inc.;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 1994 as MEXICAN INDEPENDENCE MONTH in Illinois.

Issued by the Governor August 12, 1994.

Filed with the Secretary of State August 22, 1994.

94-418

PARK DISTRICT CONSERVATION DAY

Whereas, the importance of constructive leisure time and conserving our natural resources cannot be understated; and

Whereas, such activities are important to Illinois' economy and tourism, as well as to its quality of life; and

Whereas, the Department of Conservation provides much needed recreational programs on the state level and park districts provide quality, close-to-home recreational opportunities for their residents; and

Whereas, the Illinois State Fair celebrates many of the highlights of life in Illinois, including our efforts to conserve our natural resources and enjoy leisure activity; and

Whereas, the Illinois State Fair is the largest recreational special event in the state; and

Whereas, Park District Conservation Day was designed to generate an awareness and appreciation for Illinois' outstanding recreational opportunities and the people who provide them;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 20, 1994, as PARK DISTRICT CONSERVATION DAY at the 1994 Illinois State Fair.

Issued by the Governor August 12, 1994.

Filed with the Secretary of State August 22, 1994.

94-419

DR. DOROTHY OWENS DAY

Whereas, the Illinois Conference Branch Women's Missionary Society of the Fourth Episcopal District African Methodist Episcopal Church is meeting at St. Paul African Methodist Episcopal Church in Springfield on August 21-23, 1994; and

Whereas, Dr. Dorothy Owens, Illinois Conference Branch President has rendered faithful and invaluable leadership to this organization; and

Whereas, by her zeal and innovative efforts, the Illinois Conference Branch Women's Missionary Society is known for their humanitarian efforts in their communities and to all man-kind;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 21, 1994, as DR. DOROTHY OWENS DAY in Illinois.
 Issued by the Governor August 15, 1994.
 Filed with the Secretary of State August 22, 1994.

94-420

EYE SCREENING DAY FOR SENIORS

Whereas, individuals over the age of 60 represent an increasing number of the State of Illinois' population, now accounting for more than 1.9 million persons residing in Illinois; and

Whereas, healthy eyes and proper eye care are extremely important, and Illinois is proud to promote the first-ever free statewide eye screening for seniors in this state; and

Whereas, many of the vision problems and other eye diseases common to the aging eye can be successfully treated in the early stages; and

Whereas, the Illinois Department of Aging is teaming up with the Illinois Association of Ophthalmology to sponsor free eye screenings for seniors throughout the state on Saturday, September 10, 1994; and

Whereas, new medical, surgical, and optical techniques can correct or even prevent many vision problems with early detection and can help people preserve their vision as they grow older;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim Saturday, September 10, 1994, as EYE SCREENING DAY FOR SENIORS in Illinois.

Issued by the Governor August 15, 1994.

Filed with the Secretary of State August 22, 1994.

94-421

HARAMBEE SOIREE DAY

Whereas, the DuSable Museum of African American History, the Nation's oldest institution of its kind, is dedicated to the collection, documentation, preservation, and dissemination of the history and culture of Africans and Americans of African descent; and

Whereas, Chicago's first permanent non-native settler, Jean Baptiste Pointe DuSable for whom the museum is named, was a pioneer trader of mixed African and French descent; and

Whereas, the "Harambee Soiree" fundraiser for DuSable Museum, the first international event of its kind, will reunite French-speaking people of African descent in recognition and celebration of their common heritage and contributions;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 20, 1994, as HARAMBEE SOIREE DAY in Illinois.

Issued by the Governor August 15, 1994.

Filed with the Secretary of State August 22, 1994.

94-422

RESPECT LIFE WEEK

Whereas, the Preamble of the Constitution of the United States was designed for the people of this land to "secure the blessings of liberty to ourselves and our posterity"; and

Whereas, the Declaration of Independence states that we are endowed by our

creator with certain inalienable rights, including the right to life; and
 Whereas, the life of each person is sacred--the young and the old, the healthy and the sick, the gifted and disadvantaged; and
 Whereas, the purpose of Respect Life Week is to remind the American people of the dignity of human life;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 2-9, 1994, as "RESPECT LIFE WEEK" in Illinois.

Issued by the Governor August 15, 1994.

Filed with the Secretary of State August 22, 1994.

94-423

ROSEHILL HERITAGE DAY

Whereas, Rosehill Cemetery, the first rural park cemetery in Illinois, was established by Chicago's first mayor, William Ogden; and

Whereas, Rosehill Cemetery was granted perpetual charter by the State of Illinois in 1859 and is the largest such perpetual cemetery in the state; and

Whereas, Rosehill Cemetery's Entry Gate is a registered landmark by the Illinois Landmarks Preservation Commission; and

Whereas, Rosehill Cemetery's Horatio N. May Chapel is one of the few surviving works of Illinois architect J. Lyman Silsbee; and

Whereas, Rosehill Cemetery's Community Mausoleum was a model and leader for the concept in the State of Illinois; and

Whereas, Rosehill Cemetery is site of the grave for Cook County incorporator Richard Hamilton and is home the the eternal rest of 14 Chicago mayors; and

Whereas, Rosehill Cemetery this year celebrates its 135th anniversary after more than a century and three decades service to the people of the state;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 21, 1994, as ROSEHILL HERITAGE DAY in Illinois.

Issued by the Governor August 15, 1994.

Filed with the Secretary of State August 22, 1994.

94-424

SLOVAKIA AMERICAN CULTURE DAY

Whereas, the Slovak American Cultural Society of the Midwest is being honored for keeping their nations' traditions alive for their youth and improving society for future generations to come; and

Whereas, Slovakia declared independence from the former Czechoslovakia last year. The value of Slovak heritage will not be lost, but rather admired for its tenacity and grace, especially in light of the recent independence that the Slovak's have earned; and

Whereas, members of this organization should be congratulated for the preservation of the old world values, legacy, and traditions of the Slovak culture. In an age where there is a clear need to preserve and restore society's belief in family values, organizations such as this should be commended for their efforts and contributions to history, religion, and guidance for future generations; and

Whereas, the fourth annual gathering will be at the Illinois National Guard Armory in Joliet, Illinois. The Slovakian ambassador from Washington, Dr. Branislav Lichardus, is the guest of honor on the event date of August 21;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim

August 21, 1994, as SLOVAKIA AMERICAN CULTURE DAY in Illinois.

Issued by the Governor August 15, 1994.

Filed with the Secretary of State August 22, 1994.

94-425

THEODORA MAYO DAY

Whereas, the Illinois Conference Branch Women's Missionary Society of the Fourth Episcopal District African Methodist Episcopal Church is meeting at St. Paul African Methodist Episcopal Church in Springfield on August 21-23, 1994; and

Whereas, Mrs. Theodora Mayo, Fourth Episcopal District Supervisor, has rendered dynamic leadership to the Fourth Episcopal District; and

Whereas, her life is orientated in service to man-kind;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 21, 1994, as THEODORA MAYO DAY in Illinois, as a tribute to her service and dedication to the Illinois Conference Branch Women's Missionary Society.

Issued by the Governor August 15, 1994.

Filed with the Secretary of State August 22, 1994.

94-426

PIKE COUNTY FARM BUREAU DAY

Whereas, the farmers of Pike County formed an organization in 1919 to provide for improved farm operations, a better quality of life, and to insure that their voice would be heard in the Courthouse, General Assembly, and Congress; and

Whereas, 1994 marks the 75th anniversary of the Pike County Farm Bureau; and

Whereas, the Pike County Farm Bureau proved its value to its members and the county during and after the Flood of 1993; and

Whereas, their leadership led to the establishment of valuable production, marketing, insurance, and information services; and

Whereas, the Pike County Farm Bureau has been a leader in protecting the individual freedoms and rights guaranteed in the Constitution and has tirelessly pursued protection of private property rights and the curtailing of those rights through government regulation; and

Whereas, the Pike County Farm Bureau is committed to improving the economic well-being and enriching the quality of farm family life;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 20, 1994, as PIKE COUNTY FARM BUREAU DAY in Illinois.

Issued by the Governor August 17, 1994.

Filed with the Secretary of State August 22, 1994.

94-427

ILLINOIS STATE FAIR RECOGNIZED

Whereas, this year the Illinois State Fair marks its 142nd year of recognizing Illinois' commitment to and excellence in agriculture, education, industry, and art; and

Whereas, the first Fair was held on Springfield's west side in 1853. The admission fee was a quarter and as many as 20,000 people attended on the third day; and

Whereas, 12 cities throughout Illinois--including Chicago, Alton, Peoria, Freeport, Jacksonville, Decatur, Quincy, Ottawa, DuQuoin, Centralia, and Olney--have hosted the Illinois State Fair; and

Whereas, the Fair found a permanent home on Springfield's north side in 1894. The event that year opened on September 24 and ran for six days with premiums totaling almost \$30,000; and

Whereas, the Fairgrounds now encompasses 356 acres, and the Fair is held over the course of ten days in August, a tradition started in 1926; and

Whereas, today we are celebrating the 100th anniversary of that permanent site and the 100th anniversary of the Exposition Building, which was built for the first Illinois State Fair held at this location, by placing a time capsule in the cornerstone of the Exposition Building;

Therefore, I, Jim Edgar, Governor of the State of Illinois, join with the Illinoisans across the state in recognizing the Illinois State Fair's long tradition of excellence and sending greetings to future Fairgoers.

Issued by the Governor August 17, 1994.

Filed with the Secretary of State August 22, 1994.

94-428

WOMEN'S EQUALITY YEAR\WOMEN'S SUFFRAGE MONTH

Whereas, August 26, 1995, marks the 75th anniversary of the passage of the 19th Amendment to the Constitution of the United States; and

Whereas, the 19th Amendment granted women the right to vote and celebrated the great victory by the women of this nation in the struggle for women's equality; and

Whereas, the 75th Anniversary of the Woman Suffrage Task Force, acting under the auspices of the National Woman's Party, is cooperating with other national women's organizations in planning a year-long celebration of women's suffrage during 1995; and

Whereas, Illinois organizations and individuals are joining in the national efforts in planning and coordinating events in 1995; and

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 26, 1994, to August 26, 1995 as WOMEN'S EQUALITY YEAR in Illinois and August 1995 as WOMEN'S SUFFRAGE MONTH.

Issued by the Governor August 17, 1994.

Filed with the Secretary of State August 22, 1994.

94-429

PORNOGRAPHY AWARENESS WEEK

Whereas, the U.S. Supreme Court has repeatedly ruled that obscenity is not protected speech under the First Amendment; and

Whereas, pornography can inflict tremendous suffering and damage to individuals, families, children, business districts, communities, and our nation; and

Whereas, there are state and federal anti-obscenity laws on the books to protect public safety, public morality, and public health; and

Whereas, the obscenity laws are uniquely grounded in community standards;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 30-November 5, 1994, as PORNOGRAPHY AWARENESS WEEK in Illinois.

Issued by the Governor August 18, 1994.

Filed with the Secretary of State August 22, 1994.

94-430

SPRINGFIELD COLLEGE IN ILLINOIS DAY

Whereas, Springfield College in Illinois was founded on March 7, 1929; and
 Whereas, Bishop James A. Griffin, Mother Barbara Klaholt, O.S.U., and the
 Ursuline Sisters of Springfield had the vision to create the college during the
 Great Depression; and

Whereas, Springfield College in Illinois remains true to the vision of the
 Ursuline order; and

Whereas, open to all, Springfield College in Illinois remains uniquely
 committed to values and morals; and

Whereas, August 29-September 2, 1994, students, faculty, staff, alumni,
 and trustees will celebrate 65 years of excellence in higher education;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim
 August 29, 1994, as SPRINGFIELD COLLEGE IN ILLINOIS DAY, and I urge all of our
 citizens to acknowledge the contributions and impact of Springfield College in
 Illinois has on the lives of the people they serve.

Issued by the Governor August 18, 1994.

Filed with the Secretary of State August 22, 1994.

94-431

VETERINARY TECHNICIAN WEEK

Whereas, veterinary technicians are important members of the veterinary
 health care team, work in veterinary medicine throughout the nation, and are
 extremely important in the effort to provide quality animal health care to
 insure the humane treatment of all animals; and

Whereas, there are more than 60 accredited programs throughout the United
 States which provide intensive study of skills and knowledge to work
 competently as a veterinary technician, including anatomy, physiology,
 microbiology, clinical techniques, pharmacology, anesthesiology, surgical and
 medical nursing, radiology, and clinical pathology training; and

Whereas, it is extremely important that each veterinary technician
 maintain certification, registration, or licensure through successful
 completion of a national and/or state examination, practice lifelong learning
 through continuing education, and uphold high ethical standards; and

Whereas, veterinary technicians will be joining their colleagues across
 the country to urge all to become aware of the important contribution of
 veterinary technicians to the health and well being of all animals;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim
 October 16-22, 1994, as VETERINARY TECHNICIAN WEEK in Illinois.

Issued by the Governor August 18, 1994.

Filed with the Secretary of State August 22, 1994.

94-432

EUGENE HAYNES RECOGNIZED

Whereas, August 21, 1994, marks the 14th annual "We Are Family" reunion;
 and

Whereas, Eugene Haynes, a native of East St. Louis, is a graduate of
 Lincoln High School; and

Whereas, he graduated from the Juilliard School of Music in New York City
 and was later a famed student of the French pianist, Nadia Boulanger; and

Whereas, Eugene made his concert debut at New York City's Carnegie Hall in
 1958 and performed in many concerts throughout the United States; and
 Whereas, he was a professor of music at Lincoln University in Jefferson
 City, Missouri, in the 1960s and hosted the "Wonderful World of Music with
 Eugene Haynes" from 1965-1973; and

Whereas, Eugene was the Director of Southern Illinois University's
 Katherine Dunham Center for the Performing Arts;

Therefore, I, Jim Edgar, Governor of the State of Illinois, recognize
 Eugene Haynes for his "Outstanding Musical Achievement" at the 14th annual "We
 Are Family" reunion Sunday, August 21, 1994, at Shrine of Our Lady of the
 Snows.

Issued by the Governor August 19, 1994.

Filed with the Secretary of State August 22, 1994.

ACTION CODES	
A - Adopted Rule	P - Proposed Rule
AR - Adopted Repealer	PR - Prohibited Filing Order by JCAR*
C - Notice of Corrections	PP - Peremptory or Court Ordered Rules
CC - Codification Changes	PR - Proposed Repealer
E - Emergency Rule	R - Refusal to meet JCAR* Objection
ER - Emergency Repealer	RC - Statement of Recommendation
M - Modification to meet JCAR*	S - Suspension ordered by JCAR*
Objections	W - Withdrawal to meet JCAR*
O - JCAR* Statement Of Objections	Objections
RQ - Request for Correction	MR - Modification and Refusal
EC - Expedited Corrections	
*Joint Committee on Administrative Rules	

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-7017.

AGING, DEPARTMENT ON	
89 Ill. Adm. Code 240	Community Care Program (P-14225/93;A-609) (E-5355) (P-5027) (A-13375)
89 Ill. Adm. Code 260	Long-Term Care Insurance Partnership Demonstration Program (P-3802; A-9895)
89 Ill. Adm. Code 230	Older Americans Act Program (P-5720)
AGRICULTURE, DEPARTMENT OF	
8 Ill. Adm. Code 30	Animal Control Act (P-8972)
8 Ill. Adm. Code 110	Animal Diagnostic Laboratory Act (P-14717/93;A-1825) (P-8981) (P-9027)
8 Ill. Adm. Code 25	Animal Welfare Act (P-8993)
8 Ill. Adm. Code 75	Bovine Brucellosis (P-14728/93;A-1833)
8 Ill. Adm. Code 257	Cooperative Groundwater Protection Program (P-14288/93; A-205)
8 Ill. Adm. Code 20	Definitions (P-14793;A-1844)
8 Ill. Adm. Code 85	Diseased Animals (P-14747/93;A-1850)
8 Ill. Adm. Code 116	Equine Infectious Anemia Control (P-14761/93;A-1861)
68 Ill. Adm. Code 590	Feeder Swine Dealer Licensing (P-14765/93;A-1865)
68 Ill. Adm. Code 70	Horsemeat (P-9003)
8 Ill. Adm. Code 50	Human Slaughter of Livestock (P-9011)
8 Ill. Adm. Code 35	Humane Care for Animals Act (P-9008)

8 Ill. Adm. Code 270	Illinois State Fair and DuQuoin State Fair, Non-Fair Space Rental and the General Operation of the State Fairgrounds (P-3164;A-9400)
8 Ill. Adm. Code 40	Livestock Auction Markets (P-14769/93;A-1869)
68 Ill. Adm. Code 610	Livestock Dealer Licensing (P-14775/93;A-1875)
8 Ill. Adm. Code 125	Meat and Poultry Inspection Act (PP-304) (PP-2164) (P-3809;A-4622) (PP-6442) (PP-8493) (A-11489) (PP-12540)
8 Ill. Adm. Code 515	Refrigerated Warehouse Act (P-9033)
8 Ill. Adm. Code 105	Swine Disease Control & Eradication Act (P-14781/93;A-1880)
8 Ill. Adm. Code 600	Weights and Measures Act (E-4426) (A-8519)

ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF
77 Ill. Adm. Code 2090
Subacute Alcoholism and Substance Abuse Treatment Services (P-5029) (C-8731)

ATTORNEY GENERAL	
14 Ill. Adm. Code 200	Franchise Disclosure Act (PP-2522)
AUDITOR GENERAL	
2 Ill. Adm. Code 601	Freedom of Information (A-7739)
2 Ill. Adm. Code 600	Public Information, Rulemaking, Organization and Personnel (A-6404) (AR-6440)

BANKS AND TRUST COMPANIES, COMMISSIONER OF
38 Ill. Adm. Code 380
Eligible State Bank (P-19347/93;A-4630)
38 Ill. Adm. Code 335
Unimpaired Capital & Unimpaired Surplus (E-11662) (P-13169)

CARNIVAL-AMUSEMENT SAFETY BOARD
56 Ill. Adm. Code 6000
Carnival and Amusement Park Inspection Law (P-6040) (A-13384)

CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF	
44 Ill. Adm. Code 5000	Acquisition, Management & Disposal of Real Property (P-15217/93;A-1886) (P-5057)
74 Ill. Adm. Code 900	Joint Rules Of The Comptroller & The Department Of Central Management Services: Prompt Payment (A-11498)
80 Ill. Adm. Code 302	Merit & Fitness (P-14788/93;A-1892) (P-12937)
80 Ill. Adm. Code 310	Pay Plan (P-13657/93;P-14314;A-227;A-1107) (P-21233/93;A-5146) (PP-9562) (P-10979) (E-11299) (P-12008) (PP-13476)
80 Ill. Adm. Code 2650	Solicitation for Charitable Payroll Deductions (A-3115) (RC-3151)
80 Ill. Adm. Code 2800	Travel (P-12567)

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF

89 Ill. Adm. Code 325	Administration of Psychotropic Medications to Children for Whom the Department of Children and Family Services is Legally Responsible (P-8765)	14 Ill. Adm. Code 570	Illinois Small Business Development Program (P-21123/93;A-6112)
89 Ill. Adm. Code 336	Appeal of Child Abuse And Neglect Investigation Findings (P-11407)	56 Ill. Adm. Code 509	Industrial Training Program (P-20063/93;RQ-6022)
89 Ill. Adm. Code 434	Audits, Reviews and Investigations (P-7115/93;A-6697) (P-8777) (E-8944)	14 Ill. Adm. Code 620	Labor-Management Program (P-9667)
89 Ill. Adm. Code 380	Background Check of Foster Family Home Applicants (PR-8779)	83 Ill. Adm. Code 772	Pay-Per-Call Services (P-7156)
89 Ill. Adm. Code 385	Background Checks (P-8219)	14 Ill. Adm. Code 610	Public Infrastructure Loan & Grants Programs (P-19352/93;A-8398)
89 Ill. Adm. Code 358	Background Inquiry for Purchase of Service Providers (PR-8786)	56 Ill. Adm. Code 2600	Service Delivery System & State Responsibilities (P-805; A-9902)
89 Ill. Adm. Code 305	Client Service Planning (P-6467)	1 Ill. Adm. Code 300	Small Business Impact Analysis Procedures (CC-9934)
89 Ill. Adm. Code 431	Confidentiality of Personal Information of Persons Served by the Department (P-7554) (CC-7951)	14 Ill. Adm. Code 545	Technology Advancement & Development Act Program (P-839;A-8415) (P-11411)
89 Ill. Adm. Code 428	Department Advisory Council, Ill. Juvenile Commission & Other Statewide & Regional Committees (P-561)	56 Ill. Adm. Code 2630	Uniform Fiscal & Administrative Standards for the Job Training Partnership Act (P-855; A-9935)
89 Ill. Adm. Code 437	Department of Children and Family Services Employees Conflict of Interest (P-7539)		
89 Ill. Adm. Code 384	Discipline & Behavior Management in Child Care Facilities (E-8474) (P-8528)		
89 Ill. Adm. Code 314	Educational Services (P-17593/93; A-8366)		
89 Ill. Adm. Code 406	Licensing Standards for Day Care Homes (P-2683) (P-11964/93;A-5531) (RC-3152)		
89 Ill. Adm. Code 402	Licensing Standards for Foster Family Homes (P-8237; RC-10499) (E-8481)		
89 Ill. Adm. Code 408	Licensing Standards for Group Day Care Homes (P-2700) (P-11976/93;A-5540) (RC-3153)		
89 Ill. Adm. Code 308	Nondiscrimination Requirements Of Department Service Providers (A-11510)		
89 Ill. Adm. Code 356	Rate Setting (A-11512)		
89 Ill. Adm. Code 335	Relative Home Placements (P-6681/93;A-7444)		
89 Ill. Adm. Code 300	Reports of Child Abuse & Neglect (P-18271/93;A-8377) (P-8240) (P-15218/93;A-8601)		

CIVIL SERVICE SYSTEM, STATE UNIVERSITIES

80 Ill. Adm. Code 250	State Universities Civil Service System (P-18453/93;A-1901)
-----------------------	---

COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF

47 Ill. Adm. Code 160	Emergency Shelter Grants Program (P-15747/93;A-5163)
14 Ill. Adm. Code 520	Enterprise Zone Program (P-9791/93;A-5172)
14 Ill. Adm. Code 510	Ill. Promotion Act Programs (P-14318/93;A-5813) (P-21905/93;A-8387)

COMMERCE COMMISSION, ILLINOIS

92 Ill. Adm. Code 1376	Accounting & Financial Record Requirements (P-8630/93;A-1914)
92 Ill. Adm. Code 1205	Fees And Taxes (A-11155)
92 Ill. Adm. Code 1425	Financial Responsibility Of Carriers (A-11162)
83 Ill. Adm. Code 792	Imputation (P-11988/93;A-1919)
83 Ill. Adm. Code 790	Interconnection (P-19354/93;A-6147)
83 Ill. Adm. Code 535	Least-Cost Planning for Natural Utilities (PR-6081)
83 Ill. Adm. Code 590	Minimum Safety Standards for Transportation of Gas Pipeline Facilities (P-2720) (A-11518)
83 Ill. Adm. Code 770	Operator Service Providers (P-6099) (RC-12065) (A-13053)
83 Ill. Adm. Code 315	Pole Attachment Rates, Terms & Conditions Applicable to Cable Television Companies, Electric Utilities & Telecommunications Carriers (P-202/93;A-676; M-795)
83 Ill. Adm. Code 280	Procedures for Gas, Electric, Water & Sanitary Sewer Utilities Governing Eligibility for Service, Deposits, Payment Practices & Discontinuance of Service (P-918) (P-6382/93;A-6160)
83 Ill. Adm. Code 735	Procedures Governing the Establishment of Credit, Billing, Deposits, Termination of Service & Issuance of Telephone Directories for Telephone Utilities in the State of Illinois (P-927) (P-12483;A-4146) (P-6386/93;A- 6164)
92 Ill. Adm. Code 1236	Reinstatement of Revoked Operating Authority (P-8635/93;A-1924)
92 Ill. Adm. Code 1710	Relocation Towing (P-21257/93;A-8609) (EC-13499)
83 Ill. Adm. Code 200	Rules and Practices (P-22117/93;A-7748)

ILLINOIS REGISTER		September 2, 1994	
Vol. 18, Issue #35	CUMULATIVE INDEX	Vol. 18, Issue #35	CUMULATIVE INDEX
83 Ill. Adm. Code 285	Standard Information Requirements for Electric, Gas, Water & Sewer Utilities & Telecommunications Carriers in Filing for an Increase in Rates (P-2723) (A-10684)	17 Ill. Adm. Code 1010	Ill. List of Endangered & Threatened Fauna (P-16273/93;A-1134)
83 Ill. Adm. Code 425	Uniform Electric Fuel Adjustment (P-4483)	17 Ill. Adm. Code 1050	Ill. List of Endangered & Threatened Flora (P-16285/93;A-1142)
92 Ill. Adm. Code 1375	Uniform System of Accounts (P-8635/93;A-1927)	17 Ill. Adm. Code 3010	Illinois Snowmobile Grant Program (P-5379; A-10066)
83 Ill. Adm. Code 415	Uniform System of Accounts for Electric Utilities (P-937) (P-4490) (A-10692)	17 Ill. Adm. Code 570	Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Coyote, Beaver and Woodchuck (P-3853; A-10077)
83 Ill. Adm. Code 505	Uniform System of Accounts for Gas Utilities (P-946) (A-10701)	17 Ill. Adm. Code 1070	Possession of Specimens or Products of Endangered or Threatened Species (P-1;A-5838)
COMMUNITY COLLEGE BOARD, ILLINOIS		17 Ill. Adm. Code 550	Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote and Woodchuck (Groundhog) Hunting (P-3868; A-10090)
23 Ill. Adm. Code 1501	Administration of the Ill. Public Community College (P-569;A-8906) (EC-3027) (P-12575)	17 Ill. Adm. Code 1570	Rural Community Fire Protection Program (P-12016)
COMMUNITY DEVELOPMENT FINANCE CORPORATION, ILLINOIS		17 Ill. Adm. Code 810	Sport Fishing Regulations for the Waters of Illinois (P-19785/93;A-3277) (E-5667) (P-6202) (A-12652)
47 Ill. Adm. Code 700	By-laws (P-4530/93;A-5826)	17 Ill. Adm. Code 690	Squirrel Hunting (P-3193;A-8624)
COMPTROLLER MERIT COMMISSION		17 Ill. Adm. Code 720	Taking of Wild Turkeys-Fall Archery Season, The (P-3884; A-10104)
80 Ill. Adm. Code 100	Merit Commission Rules (P-12585)	17 Ill. Adm. Code 715	Taking of Wild Turkeys-Fall Gun Season, The (P-3895; A-10113)
COMPTROLLER, OFFICE OF THE		17 Ill. Adm. Code 710	Taking of Wild Turkeys-Spring Season, The (P-18927/93;A-1156) (E-3751)
74 Ill. Adm. Code 285	Claim Eligible To Be Offset (P-12944)	17 Ill. Adm. Code 670	White-Tailed Deer Hunting by Use of Bow and Arrow (P-21907/93;A-5842)
38 Ill. Adm. Code 610	Ill. Funeral or Burial Funds Act (P-7168) (C-8172)	17 Ill. Adm. Code 650	White-Tailed Deer Hunting by Use of Firearms (P-21927/93;A-5859) (P-7180) (A-13431)
74 Ill. Adm. Code 330	Joint Rules Of The Comptroller & The Department Of Central Management Services: Prompt Payment (A-11521)	17 Ill. Adm. Code 680	White-Tailed Deer Hunting Season By Use Of Handguns (P-10998)
74 Ill. Adm. Code 275	Transfers Between Accounts Within a Fund Held by State Treasurer (P-1664; A-7754) (E-2119)	17 Ill. Adm. Code 660	White-Tailed Deer Hunting Season by Use of Muzzleloading Rifles (P-21952/93;A-5878) (P-7183) (A-13435)
CONSERVATION, DEPARTMENT OF		17 Ill. Adm. Code 740	Woodcock, Snipe, Rail, and Teal Hunting (P-3986; A-9998)
17 Ill. Adm. Code 130	Camping on Department of Conservation Properties (P-18721/93;A-1126)	CORRECTIONS, DEPARTMENT OF	
17 Ill. Adm. Code 530	Cock Pheasant, Hungarian Partridge, Bobwhite Quail, Rabbit and Crow Hunting (P-4495) (A-12628)	20 Ill. Adm. Code 420	Assignment of Committed Persons (P-19367/93;A-2929)
17 Ill. Adm. Code 830	Commercial Fishing and Musseling in Certain Waters of the State (E-4761) (P-5372; A-9985)	20 Ill. Adm. Code 460	Impact Incarceration Program (P-19371/93;A-2933)
17 Ill. Adm. Code 850	Commercial Fishing in Lake Michigan (P-22123/93;A-5834)	20 Ill. Adm. Code 107	Records of Committed Persons (P-19377/93;A-2939)
17 Ill. Adm. Code 2520	Consignment of Licenses (P-3821; A-9991)	20 Ill. Adm. Code 405	School District (P-19405/93;A-2970)
17 Ill. Adm. Code 730	Dove Hunting Season (P-3830; A-10009)	20 Ill. Adm. Code 501	Security (P-8396/93;A-6328)
17 Ill. Adm. Code 590	Duck, Goose and Coot Hunting (P-5065; A-10023)	CRIMINAL JUSTICE INFORMATION AUTHORITY, ILLINOIS	
17 Ill. Adm. Code 1590	Falconry & Captive Propagation of Raptors (P-9039)	20 Ill. Adm. Code 1570	Fees for Processing Requests for Conviction Information (P-21136/93;A-4679)
17 Ill. Adm. Code 910	Field Trials on Department-Owned Managed Sites (P-3846) (A-13425)		
2 Ill. Adm. Code 826	Freedom of Information (A-8616)		

ILLINOIS REGISTER			September 2, 1994		
CUMULATIVE INDEX			CUMULATIVE INDEX		
Vol. 18, Issue #35			Vol. 18, Issue #35		
20 Ill. Adm. Code 1810	Rules for the Award and Monitoring of Trust Funds (P-20516/93;A-4834)		56 Ill. Adm. Code 2720	Claims, Adjudication, Appeals and Hearings (P-9048)	
20 Ill. Adm. Code 1800	Trust Fund Collection Rules (P-20539/93;A-4852)		56 Ill. Adm. Code 2770	Determination of Unemployment Contributions (P-17628/93; A-250)	
EDUCATION, STATE BOARD OF			56 Ill. Adm. Code 2920	Disqualifying Income and Reduced Benefits (P-19427/93;A-4166)	
23 Ill. Adm. Code 610	Article 34 School and Subdistrict Councils (P-5449)		56 Ill. Adm. Code 2732	Employment (P-9067)	
23 Ill. Adm. Code 252	Driver Education (P-8557)		56 Ill. Adm. Code 2960	General Provisions (P-9075)	
23 Ill. Adm. Code 180	Health/Life Safety Code For Public Schools (P-9671)		56 Ill. Adm. Code 2760	Notices, Records, Reports (P-16319/93; A-261) (E-2631) (O-7070) (W-7492) (P-9082)	
23 Ill. Adm. Code 210	Learning Assessment & School Improvement Plans (P-10061/93;A-1169)		56 Ill. Adm. Code 2765	Payment of Unemployment Contributions, Interest and Penalties (P-9094)	
23 Ill. Adm. Code 401	Nonpublic Special Education Facilities (P-9756) (PR-9733)		56 Ill. Adm. Code 2730	Wages (P-9101)	
23 Ill. Adm. Code 110	Program Accounting Manual (P-18283/93;A-5178) (P-9776)		ENVIRONMENTAL PROTECTION AGENCY		
23 Ill. Adm. Code 1	Public Schools Evaluation, Recognition & Supervision (P-10079/93;A-1171)		35 Ill. Adm. Code 270	Clean Air Act Permit Program Procedures (P-9425)	
23 Ill. Adm. Code 120	Pupil Transportation Reimbursement (E-12853)		35 Ill. Adm. Code 372	Illinois Design Standards for Slow Rate Land Application of Treated Wastewater (P-4524)	
23 Ill. Adm. Code 525	Regional Oversight Boards & Intermediate Services (P-9781)		35 Ill. Adm. Code 370	Illinois Recommended Standards for Sewage Works (CC-6375)	
23 Ill. Adm. Code 550	Reorganization Committee (PR-17611/93;AR-5551)		35 Ill. Adm. Code 184	Licensing of Industrial Hygienists (P-4)	
23 Ill. Adm. Code 226	Special Education (P-13231/93;A-1930)		35 Ill. Adm. Code 670	Minimal Hazard Certification (P-18730/93; A-10122)	
23 Ill. Adm. Code 170	Sprinkler System (P-18419/93;A-4699) (EC-8955) (EC-11386)		FINANCIAL INSTITUTIONS, DEPARTMENT OF		
23 Ill. Adm. Code 245	Urban Education Partnership Program (P-10131/93; A-237)		38 Ill. Adm. Code 130	Currency Exchange Rate (P-6929/93;W-6454) (W-7071)	
ELECTIONS, STATE BOARD OF			38 Ill. Adm. Code 180	Uniform Disposition Of Unclaimed Property Act (P-12085)	
23 Ill. Adm. Code 125	Practice and Procedure (P-6509)		FIRE MARSHAL, OFFICE OF THE STATE		
EMERGENCY MANAGEMENT AGENCY, ILLINOIS			41 Ill. Adm. Code 140	Policy & Procedures Manual for Fire Protection Personnel (RC-8503) (A-12696)	
29 Ill. Adm. Code 1310	Emergency Management Assistance Program (P-13843/93;A-6394)		41 Ill. Adm. Code 200	Storage, Transportation, Sale and Use of Liquified Petroleum (P-22)	
29 Ill. Adm. Code 1300	Emergency Services and Disaster Agencies: Establishment, Accreditation, and Workers' Compensation (P-13856/93;A-6386)		41 Ill. Adm. Code 170	Storage, Transportation, Sale and Use of Petroleum and other Regulated Substances (P-8267) (P-9106) (W-12064)	
29 Ill. Adm. Code 300	Local Emergency Services and Disaster Agencies: Establishment, Jurisdiction, and Accreditation (PR-13865/93;AR-6384)		HEALTH CARE COST CONTAINMENT COUNCIL, ILLINOIS		
29 Ill. Adm. Code 510	Workers' Compensation Coverage (PR-13875/93;A-6382)		77 Ill. Adm. Code 2510	Data Collection (P-18944/93;A-5300) (P-8274)	
EMPLOYMENT SECURITY, DEPARTMENT OF			77 Ill. Adm. Code 2530	Hospital Price Information (P-19007/93;A-5343)	
56 Ill. Adm. Code 2915	Academic Personnel (P-19415/93;A-4154)		HEALTH FACILITIES AUTHORITY, ILLINOIS		
56 Ill. Adm. Code 2865	Claimant's Availability for Work, Ability to Work and Active Search for Work (P-19421/93;A-4160)		77 Ill. Adm. Code 1400	Sale Of Bonds (A-10712)	
			HIGHER EDUCATION, BOARD OF		
			23 Ill. Adm. Code 1020	Health Services Education Grant (P-17639/93;A-4174) (P-11684) (C-12547)	

ILLINOIS REGISTER		ILLINOIS REGISTER	
Vol. 18, Issue #35	CUMULATIVE INDEX	Vol. 18, Issue #35	CUMULATIVE INDEX
			September 2, 1994
HOUSING DEVELOPMENT AUTHORITY, ILLINOIS		HOUSING DEVELOPMENT AUTHORITY, ILLINOIS	
47 Ill. Adm. Code 365	Affordable Housing Bond Program (P-956; A-8633) (E-1596) (C-10505)	47 Ill. Adm. Code 365	Affordable Housing Bond Program (P-956; A-8633) (E-1596) (C-10505)
47 Ill. Adm. Code 360	Affordable Housing Program (P-1669; A-8663) (E-2124)	47 Ill. Adm. Code 360	Affordable Housing Program (P-1669; A-8663) (E-2124)
47 Ill. Adm. Code 260	Homeowner Mortgage Revenue Bond Program (P-8293)	47 Ill. Adm. Code 260	Homeowner Mortgage Revenue Bond Program (P-8293)
47 Ill. Adm. Code 310	Multifamily Rental Housing Mortgage Loan Program (A-1939)	47 Ill. Adm. Code 310	Multifamily Rental Housing Mortgage Loan Program (A-1939)
HUMAN RIGHTS, DEPARTMENT OF		HUMAN RIGHTS, DEPARTMENT OF	
2 Ill. Adm. Code 926	Access to Information (P-512)	2 Ill. Adm. Code 926	Access to Information (P-512)
56 Ill. Adm. Code 2520	Procedural (P-9821)	56 Ill. Adm. Code 2520	Procedural (P-9821)
2 Ill. Adm. Code 925	Rulemaking and Organization (P-525)	2 Ill. Adm. Code 925	Rulemaking and Organization (P-525)
INSURANCE, DEPARTMENT OF		INSURANCE, DEPARTMENT OF	
50 Ill. Adm. Code 1250	Corrective Orders (P-3985/93;A-2230)	50 Ill. Adm. Code 1250	Corrective Orders (P-3985/93;A-2230)
50 Ill. Adm. Code 2013	Group Coverage Discontinuance and Replacement (P-8320)	50 Ill. Adm. Code 2013	Group Coverage Discontinuance and Replacement (P-8320)
50 Ill. Adm. Code 1103	Life Reinsurance Agreement (P-8411/93;A-685)	50 Ill. Adm. Code 1103	Life Reinsurance Agreement (P-8411/93;A-685)
50 Ill. Adm. Code 2012	Long-term Care Insurance (P-11279/93;A-2238)	50 Ill. Adm. Code 2012	Long-term Care Insurance (P-11279/93;A-2238)
50 Ill. Adm. Code 2018	Long-term Care Partnership Insurance (P-3919) (A-12746)	50 Ill. Adm. Code 2018	Long-term Care Partnership Insurance (P-3919) (A-12746)
50 Ill. Adm. Code 3119	Pre-Licensing and Continuing Education (P-3964)	50 Ill. Adm. Code 3119	Pre-Licensing and Continuing Education (P-3964)
50 Ill. Adm. Code 855	Prior Notification of Dividends on Common Stock and Other Distributions (P-21264/93;A-6168)	50 Ill. Adm. Code 855	Prior Notification of Dividends on Common Stock and Other Distributions (P-21264/93;A-6168)
50 Ill. Adm. Code 854	Prior Notification of Transactions (P-21143/93;A-6176)	50 Ill. Adm. Code 854	Prior Notification of Transactions (P-21143/93;A-6176)
50 Ill. Adm. Code 6201	Requirements (A-2282)	50 Ill. Adm. Code 6201	Requirements (A-2282)
50 Ill. Adm. Code 2017	Uniform Medical Claim and Billing (P-37) (A-12777)	50 Ill. Adm. Code 2017	Uniform Medical Claim and Billing (P-37) (A-12777)
50 Ill. Adm. Code 2901	Workers' Compensation Self Insurance' Regulation (A-12785)	50 Ill. Adm. Code 2901	Workers' Compensation Self Insurance' Regulation (A-12785)
INVESTMENT, ILLINOIS STATE BOARD		INVESTMENT, ILLINOIS STATE BOARD	
80 Ill. Adm. Code 2700	State (of Ill.) Employees' Deferred Compensation Plan (P-19755/93;A-7224)	80 Ill. Adm. Code 2700	State (of Ill.) Employees' Deferred Compensation Plan (P-19755/93;A-7224)
JOINT COMMITTEE ON ADMINISTRATIVE RULES		JOINT COMMITTEE ON ADMINISTRATIVE RULES	
1 Ill. Adm. Code 260	Complaint Reviews (P-13233/93;A-4705) (CC-7495)	1 Ill. Adm. Code 260	Complaint Reviews (P-13233/93;A-4705) (CC-7495)
1 Ill. Adm. Code 255	Distribution of Database Information (E-5359;P-8792) (A-13063)	1 Ill. Adm. Code 255	Distribution of Database Information (E-5359;P-8792) (A-13063)
1 Ill. Adm. Code 245	Expedited Corrections (P-13248/93;A-4720) (CC-7496)	1 Ill. Adm. Code 245	Expedited Corrections (P-13248/93;A-4720) (CC-7496)
1 Ill. Adm. Code 250	Five Year Evaluation of All Existing Rules (P-13257/93;A-4728)	1 Ill. Adm. Code 250	Five Year Evaluation of All Existing Rules (P-13257/93;A-4728)
1 Ill. Adm. Code 210	General Policies (P-13268/93;A-4739) (CC-7497)	1 Ill. Adm. Code 210	General Policies (P-13268/93;A-4739) (CC-7497)
1 Ill. Adm. Code 230	Review of Emergency Rulemaking (P-13233/93;A-1233) (CC-7498)	1 Ill. Adm. Code 230	Review of Emergency Rulemaking (P-13233/93;A-1233) (CC-7498)
1 Ill. Adm. Code 240	Review of Peremptory Rulemaking (P-13294/93;A-4745) (CC-7499)	1 Ill. Adm. Code 240	Review of Peremptory Rulemaking (P-13294/93;A-4745) (CC-7499)
LABOR, DEPARTMENT OF		LABOR, DEPARTMENT OF	
56 Ill. Adm. Code 350	Health & Safety (P-1672) (O-12066)	56 Ill. Adm. Code 350	Health & Safety (P-1672) (O-12066)
LIEUTENANT GOVERNOR, OFFICE OF THE		LIEUTENANT GOVERNOR, OFFICE OF THE	
47 Ill. Adm. Code 600	Keep Ill. Beautiful Program (C-796)	47 Ill. Adm. Code 600	Keep Ill. Beautiful Program (C-796)
LIQUOR CONTROL COMMISSION, ILLINOIS		LIQUOR CONTROL COMMISSION, ILLINOIS	
11 Ill. Adm. Code 100	The Illinois Liquor Control Commission (P-20094/93;A-4811)	11 Ill. Adm. Code 100	The Illinois Liquor Control Commission (P-20094/93;A-4811)
LOTTERY, DEPARTMENT OF		LOTTERY, DEPARTMENT OF	
11 Ill. Adm. Code 1700	Hearings (P-5394) (A-11168)	11 Ill. Adm. Code 1700	Hearings (P-5394) (A-11168)
11 Ill. Adm. Code 1770	Lottery (General) (P-6519) (A-13439)	11 Ill. Adm. Code 1770	Lottery (General) (P-6519) (A-13439)
LOW-LEVEL RADIOACTIVE WASTE TASK GROUP		LOW-LEVEL RADIOACTIVE WASTE TASK GROUP	
2 Ill. Adm. Code 2950	Information, Rulemaking and Organization (A-5889) (A-8684)	2 Ill. Adm. Code 2950	Information, Rulemaking and Organization (A-5889) (A-8684)
MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES, DEPARTMENT OF		MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES, DEPARTMENT OF	
59 Ill. Adm. Code 101	Administration (P-10688/93;A-4179)	59 Ill. Adm. Code 101	Administration (P-10688/93;A-4179)
59 Ill. Adm. Code 122	Certification Under Medicaid Rehabilitation Option for Early Intervention Program (P-3969)	59 Ill. Adm. Code 122	Certification Under Medicaid Rehabilitation Option for Early Intervention Program (P-3969)
59 Ill. Adm. Code 121	Early Intervention Program (P-3976)	59 Ill. Adm. Code 121	Early Intervention Program (P-3976)
59 Ill. Adm. Code 132	Medicaid Community Health Services Program (P-3902)	59 Ill. Adm. Code 132	Medicaid Community Health Services Program (P-3902)
59 Ill. Adm. Code 120	Medicaid Home and Community-Based Services for Developmentally Disabled Recipients (P-3990)	59 Ill. Adm. Code 120	Medicaid Home and Community-Based Services for Developmentally Disabled Recipients (P-3990)
59 Ill. Adm. Code 106	Service Charges (P-7583)	59 Ill. Adm. Code 106	Service Charges (P-7583)
59 Ill. Adm. Code 258	Standards and Requirements for Pre-Admission Screening and Participating Mental Centers (P-8795)	59 Ill. Adm. Code 258	Standards and Requirements for Pre-Admission Screening and Participating Mental Centers (P-8795)
MINES AND MINERALS, DEPARTMENT OF		MINES AND MINERALS, DEPARTMENT OF	
62 Ill. Adm. Code 240	Illinois Oil and Gas Act (P-22128/93;A-8061) (E-10380) (P-11696)	62 Ill. Adm. Code 240	Illinois Oil and Gas Act (P-22128/93;A-8061) (E-10380) (P-11696)
MOTOR VEHICLE THEFT PREVENTION COUNCIL, ILLINOIS		MOTOR VEHICLE THEFT PREVENTION COUNCIL, ILLINOIS	
2 Ill. Adm. Code 1720	Public Information, Rulemaking And Organization (A-13448)	2 Ill. Adm. Code 1720	Public Information, Rulemaking And Organization (A-13448)
NATURE PRESERVES COMMISSION		NATURE PRESERVES COMMISSION	
17 Ill. Adm. Code 4000	Management of Nature Preserves (P-12005/93;A-2290)	17 Ill. Adm. Code 4000	Management of Nature Preserves (P-12005/93;A-2290)
17 Ill. Adm. Code 4010	Register of Land & Water Reserves (P-578) (A-7253)	17 Ill. Adm. Code 4010	Register of Land & Water Reserves (P-578) (A-7253)
NORTHEASTERN ILLINOIS PLANNING COMMISSION		NORTHEASTERN ILLINOIS PLANNING COMMISSION	

ILLINOIS REGISTER			September 2, 1994		
CUMULATIVE INDEX			CUMULATIVE INDEX		
Vol. 18, Issue #35			Vol. 18, Issue #35		
35 Ill. Adm. Code 399	Fees for Reviewing Applications to Change the Boundaries of a Wastewater Facility Planning Area (P-2552;A-9470)		35 Ill. Adm. Code 720	Hazardous Waste Management System: General (P-337;A-6720) (P-6553) (A-12161) (P-13173)	
32 Ill. Adm. Code 405	Certification of Individuals to Perform Industrial Radiography (P-3326) (A-10721)		35 Ill. Adm. Code 106	Hearings Pursuant to Specific Rules (P-959;A-4230) (A-11579)	
32 Ill. Adm. Code 333	Fees for Calibration Services (P-9797/93;A-2615)		35 Ill. Adm. Code 721	Identification and Listing of Hazardous Waste (P-357;A-6741) (P-6526) (A-12176) (P-13184)	
32 Ill. Adm. Code 331	Fees for Radioactive Material Licenses (P-3045) (A-12131)		35 Ill. Adm. Code 831	Information To Be Submitted In A Compost Facility Permit Application (P-11025)	
32 Ill. Adm. Code 330	Licensing of Radioactive Material (P-14417/93;A-5553)		35 Ill. Adm. Code 812	Information To Be Submitted In A Permit Application (A-12186)	
32 Ill. Adm. Code 601	Licensing Requirements For Land Disposal Of Radioactive Waste (P-10519)		35 Ill. Adm. Code 725	Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities (P-377;A-6771) (C-5011) (P-6568) (A-12191) (P-13242)	
32 Ill. Adm. Code 332	Licensing Requirements for Source Material Milling Facilities (P-10701/93;A-3128)		35 Ill. Adm. Code 728	Land Disposal Restrictions (P-388;A-6799) (C-5013) (P-6535) (A-12204) (P-13257)	
32 Ill. Adm. Code 400	Notices, Instructions & Reports to Workers; Inspection (P-8655/93;A-3132)		35 Ill. Adm. Code 203	Major Stationary Sources Construction and Modification (P-18754/93;A-6335)	
32 Ill. Adm. Code 390	Particle Accelerators (P-8666/93;A-3143)		35 Ill. Adm. Code 240	Mobile Sources (P-12021) (P-12097)	
32 Ill. Adm. Code 350	Radiation Safety Requirements for Industrial Radiographic Operations (P-13882/93;A-7263) (EC-8956) (EC-10943)		35 Ill. Adm. Code 107	Office Of The State Fire Marshal Appeals (P-11427)	
32 Ill. Adm. Code 351	Radiation Safety Requirements for Wireline Service Operations and Subsurface Tracer Studies (P-8674/93;A-3344)		35 Ill. Adm. Code 218	Organic Material Emission Standards & Limitations for the Chicago Area (P-12491/93;A-1945) (P-7602) (P-9242) (P-10549)	
32 Ill. Adm. Code 320	Registration of Radioactive Material, Radiation Machines, and Radiation Installations (P-8693/93;A-3363)		35 Ill. Adm. Code 219	Organic Material Emission Standards & Limitations for the Metro East Area (P-20203/93;A-4242) (P-7618) (P-9272) (P-10584)	
32 Ill. Adm. Code 606	Requirements For The Disposal Of Low-Level Radioactive Waste Away From The Point Of Generation (P-10524)		35 Ill. Adm. Code 105	Permits (16366/93;A-4244)	
32 Ill. Adm. Code 505	Safe Operation of Nuclear Facility Boilers & Pressure Vessels (P-15220/93;A-2317)		35 Ill. Adm. Code 201	Permits & General Provisions (P-7636) (P-8347)	
32 Ill. Adm. Code 340	Standards For Protection Against Radiation (P-11002)		35 Ill. Adm. Code 732	Petroleum Underground Storage Tanks (P-5403)	
32 Ill. Adm. Code 341	Transportation of Radioactive Material (P-13933/93;A-4196)		35 Ill. Adm. Code 611	Primary Drinking Water Standards (P-7642) (A-12292)	
32 Ill. Adm. Code 355	Use of Radionuclides in the Healing Arts (P-20122/93;A-7308)		35 Ill. Adm. Code 815	Procedural Requirements For All Landfills Exempt From Permits (A-12385)	
32 Ill. Adm. Code 360	Use of X-Ray in the Healing Arts Including Medical, Dental, Podiatry, and Veterinary Medicine (P-3996) (A-11524)		35 Ill. Adm. Code 813	Procedural Requirements for Permitted Landfills (RQ-12409/93;EC-7501) (EC-3018) (A-12389)	
			35 Ill. Adm. Code 832	Procedural Requirements For Permitting Compost Facilities (P-11033)	
			35 Ill. Adm. Code 702	RCRA and UIC Permit Programs (P-406;A-6918)	
			35 Ill. Adm. Code 703	RCRA Permit Program (P-419;A-6898) (P-6580) (A-12393)	
			35 Ill. Adm. Code 817	Requirements for New Steel and Foundry Industry (P-6246) (A-12412)	
			35 Ill. Adm. Code 807	Solid Waste (A-12415)	
			35 Ill. Adm. Code 810	Solid Waste Disposal: General Provisions (P-8702/93;A-1268) (A-12452)	
			35 Ill. Adm. Code 830	Standards For Compost Facilities (P-11040)	
POLLUTION CONTROL BOARD					
35 Ill. Adm. Code 211	Definitions & General Provisions (P-12491/93;A-1253) (P-7589) (P-9228) (P-10536)				
35 Ill. Adm. Code 304	Effluent Standards (P-15223/93;A-267;P-2560) (A-11574)				
35 Ill. Adm. Code 620	Groundwater Quality (P-5113)				

35 Ill. Adm. Code 814	Standards for Existing Landfills & Units (P-8714/93;A-1284) (E-8488) (A-12458)	68 Ill. Adm. Code 1480	Structural Engineering Licensing Act of 1989 (P-5749)
35 Ill. Adm. Code 811	Standards for New Solid Waste Landfills (P-8726/93;A-1308) (C-4434) (EC-7504) (A-12472)	68 Ill. Adm. Code 1380	The Professional Engineering Practice Act Of 1989 (P-10619)
35 Ill. Adm. Code 724	Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities (P-439;A-6973) (C-5015) (P-6641) (A-12482) (P-13295)	68 Ill. Adm. Code 1500	Veterinary Medicine and Surgery Practice Act (P-5758) (A-11212)
35 Ill. Adm. Code 726	Standards for the Management of Specific Hazardous Waste and Specific Types of Hazardous Waste Management Facilities (P-6600) (A-12488)	PUBLIC AID, DEPARTMENT OF	
35 Ill. Adm. Code 739	Standards for the Management of Used Oil (P-455;A-6931) (C-5017) (P-13310)	89 Ill. Adm. Code 112	Aid to Families with Dependent Children (P-2753;A-4546) (P-19436/93;A-5909) (P-22247/93;A-6994) (P-7208) (P-2587/93;A-8703) (A-10774) (P-11461) (A-12805)
35 Ill. Adm. Code 704	UTC Permit Program (P-13335)	89 Ill. Adm. Code 113	Aid to the Aged, Blind or Disabled (P-13380/93;A-2018) (P-4562) (P-21982/93;A-7759) (A-12818)
35 Ill. Adm. Code 212	Visible & Particulate Matter Emissions (P-967) (A-11587)	89 Ill. Adm. Code 111	Assistance Standards (P-18764/93;A-2029) (P-22262/93;A-7009)
35 Ill. Adm. Code 303	Water Use Designations & Site Specific Water Quality Standards (P-8726/93;A-2981) (A-13457)	89 Ill. Adm. Code 160	Child Support Enforcement (P-497) (P-12067/93;A-697) (A-12052) (P-12604)

PROFESSIONAL REGULATION, DEPARTMENT OF

68 Ill. Adm. Code 1175	Barber, Cosmetology, Esthetics, and Nail Technology Act (P-20217/93;A-4856)	89 Ill. Adm. Code 149	Diagnosis Related Grouping (DRG) Prospective Payment System (PPS) (P-15243/93;A-3378)
68 Ill. Adm. Code 1505	Certified Veterinary Technicians (P-5737) (A-11180)	89 Ill. Adm. Code 121	Food Stamps (P-18425/93;A-2033) (P-21991/93;A-8921) (P-2178;A-8921) (E-2509) (P-16405/93;A-3427) (P-4575) (P-6251) (A-12829)
68 Ill. Adm. Code 1400	Clinical Psychologist Licensing Act (P-2566) (A-11191)	89 Ill. Adm. Code 114	General Assistance (P-19443/93;A-3436) (P-4586) (P-22308/93;A-7390) (A-12839)
68 Ill. Adm. Code 1470	Clinical Social Work & Social Work Practice Act (P-8435/93;A-2370)	89 Ill. Adm. Code 152	Hospital Reimbursement Changes (P-1677; A-10141) (E-2150)
68 Ill. Adm. Code 1315	Ill. Occupational Therapy Practice Act (P-590;A-7373) (P-11447)	89 Ill. Adm. Code 148	Hospital Services (O-12067) (P-12611) (E-12857)
68 Ill. Adm. Code 1270	Ill. Professional Land Surveyor Act of 1989 (P-14550/93;A-5900) (P-9849)	89 Ill. Adm. Code 153	Long Term Care Reimbursement Changes (P-1686; A-10154) (E-2159) (P-11082) (E-11380)
68 Ill. Adm. Code 1465	Ill. Speech-Language Pathology & Audiology Practice Act (P-7194) (A-12794)	89 Ill. Adm. Code 120	Medical Assistance Programs (P-13392/93;A-2051) (P-4063) (P-221266/93;A-5934) (P-22321/93;A-8718) (A-11231)
68 Ill. Adm. Code 1150	Illinois Architecture Practice Act Of 1989 (P-11337/93; RC-10500) (A-10736)	89 Ill. Adm. Code 140	Medical Payment (P-18436/93;A-3620) (P-17736/93;A-3620) (P-15444/93;A-4250) (P-4077) (P-4597) (W-8730) (P-5778) (P-9296) (P-18768/93;A-5951) (P-10637) (E-10922) (C-10942) (P-11088) (A-11244) (O-12068)
68 Ill. Adm. Code 1200	Illinois Certified Shorthand Reporters Act Of 1984 (P-12103)	89 Ill. Adm. Code 104	Practice In Administrative Hearings (A-11260) (P-12613)
68 Ill. Adm. Code 1283	Marriage and Family Therapy Licensing Act (P-5477) (A-10752)	89 Ill. Adm. Code 115	Refuges/Entrant/Repatriate Program (P-9346)
68 Ill. Adm. Code 1285	Medical Practice Act of 1987 (RO-21209/93;EC-312)	89 Ill. Adm. Code 147	Reimbursement for Nursing Costs for Geriatric Facilities (P-14803/93;A-2405) (P-18788/93;A-4274)
68 Ill. Adm. Code 1360	Podiatric Medical Practice Act Of 1987 (P-11451)		
68 Ill. Adm. Code 1375	Professional Counselor and Clinical Professional Counselor Licensing Act (P-7986)		
68 Ill. Adm. Code 1455	Real Estate Appraiser Certificates (P-16379/93;A-2379) (P-2733;A-8428)		

77 Ill. Adm. Code 593	Podiatric Scholarship & Residency Programs Code (A-11987)
77 Ill. Adm. Code 210	Postsurgical Recovery Care Center Demonstration Program Code (P-22333/93; O-10501) (MR-13152)
77 Ill. Adm. Code 505	Pregnancy Termination Report Code (P-13631/93; A-533)
77 Ill. Adm. Code 960	Preventive Health & Health Services Block Grant Programs (P-2180) (P-2205)
77 Ill. Adm. Code 547	Regional Ambulance Services Code (P-95;A-6340)
77 Ill. Adm. Code 420	Rules and Regulations to Carry Out Provisions of Titles XVIII and XIX of the Social Security Act Relating to Skilled Nursing and Intermediate Care Facilities (PR-103)
77 Ill. Adm. Code 100	Rules of Practice and Procedure in Administrative Hearings (P-12153/93;A-5980)
77 Ill. Adm. Code 1400	Sale of Bonds (P-4538)
77 Ill. Adm. Code 330	Sheltered Care Facilities Code (P-12188/93;A-1475) (P-4942) (P-11829)
77 Ill. Adm. Code 300	Skilled Nursing & Intermediate Care Facilities Code (P-12205/93;A-1491) (P-4961) (P-11873)
77 Ill. Adm. Code 270	Subacute Care Hospital Demonstration Program Code (P-9654/93;A-2424)
77 Ill. Adm. Code 672	WIC Vendor Management Code (P-12228/93;A-2450) (E-13125)

PUBLIC HEALTH, DEPARTMENT OF/HEALTH FACILITIES PLANNING BOARD

77 Ill. Adm. Code 1130	Health Facilities Planning Procedural Rules (P-8861) (P-8867)
77 Ill. Adm. Code 1100	Narrative and Planning Policies (P-12606/93;A-2986) (P-8144/93;A-8448) (P-9357)
77 Ill. Adm. Code 1110	Processing, Classification Policies and Review Criteria (P-12593/93;A-2993) (P-8149/93;A-8455) (P-9364)

RACING BOARD, ILLINOIS

11 Ill. Adm. Code 206	Board Meetings (P-112;A-7407)
11 Ill. Adm. Code 208	Charitable Funds (P-115;A-7410)
11 Ill. Adm. Code 510	Claiming Races (P-15790/93;A-2064) (P-5500) (A-11607)
11 Ill. Adm. Code 1405	Clerk of the Scales (P-5503) (A-11610)
11 Ill. Adm. Code 1422	Corrupt Practices (P-12036)
11 Ill. Adm. Code 401	Definitions (P-10030/93;A-2087)
11 Ill. Adm. Code 1304	Definitions (P-19033/93;A-2088)
11 Ill. Adm. Code 210	Definitions (P-19057/93;A-2072) (P-13342)
11 Ill. Adm. Code 501	Definitions & Interpretations (P-19040/93;A-2089)
11 Ill. Adm. Code 1401	Definitions & Interpretations (P-19050/93;A-2090)

89 Ill. Adm. Code 117	Related Program Provisions (P-21158/93;A-3746) (P-22007/93;A-7403)
89 Ill. Adm. Code 102	Rights and Responsibilities (P-15461/93;A-273) (P-2602;A-8938)
PUBLIC HEALTH, DEPARTMENT OF	
77 Ill. Adm. Code 697	AIDS Confidentiality and Testing Code (P-8848)
77 Ill. Adm. Code 692	AIDS Drug Reimbursement Program (P-12590/93;A-1427) (P-11107)
77 Ill. Adm. Code 598	Allied Health Care Professional Assistance Law (P-3077) (A-11931)
77 Ill. Adm. Code 205	Ambulatory Surgical Treatment Center Licensing Requirements (P-6653) (A-11939)
77 Ill. Adm. Code 970	Breast & Cervical Cancer Research Fund Rules (P-9354) (E-9549)
77 Ill. Adm. Code 665	Child Health Examination Code (P-2697/93;A-4296)
77 Ill. Adm. Code 690	Communicable Disease Control & Immunizations (P-1690; A-10158)
77 Ill. Adm. Code 693	Control of Sexually Transmissible Diseases Code (P-8850)
77 Ill. Adm. Code 594	Distribution of Medical Student Scholarship Payback Funds (P-8572)
77 Ill. Adm. Code 900	Drinking Water Systems Code (P-10640)
77 Ill. Adm. Code 635	Family Planning (P-19882/93;A-5969)
77 Ill. Adm. Code 250	Hospital Licensing Requirements (P-46) (A-11945)
77 Ill. Adm. Code 340	Ill. Veterans' Homes Code (E-10391) (P-12955)
77 Ill. Adm. Code 790	Illinois Formulary for the Drug Product Selection Program (PR-3202) (P-3205) (ER-3755) (E-3778)
77 Ill. Adm. Code 245	Illinois Home Health Agency Code (P-747/93;A-2414)
77 Ill. Adm. Code 596	Illinois Rural Health Code (P-3086) (A-11971)
77 Ill. Adm. Code 540	Illinois Trauma Center Code (P-12101/93;A-2620)
77 Ill. Adm. Code 920	Illinois Water Well Construction Code (P-11113)
77 Ill. Adm. Code 350	Intermediate Care for the Developmentally Disabled Facilities Code (P-12104/93; A-1432) (P-4904) (P-11714)
77 Ill. Adm. Code 845	Lead Poisoning Prevention (P-8021)
77 Ill. Adm. Code 610	Local Health Department Development Grant Rules (P-14824/93;A-4310)
77 Ill. Adm. Code 615	Local Health Protection Grant Rules (P-17798/93; A-4320) (PR-17741/93; AR-4317)
77 Ill. Adm. Code 390	Long-term Care for Under Age 22 Facilities Code (P-12128/93;A-1453) (P-4924) (P-11771)
77 Ill. Adm. Code 630	Maternal and Child Health Services Code (P-3069/93;A-4380)
77 Ill. Adm. Code 600	Minimum Qualifications for Personnel Employed by Local Departments Code (P-14806/93;A-4476) (PR-14831/93;AR-4422)
77 Ill. Adm. Code 597	Nursing Education Scholarships (P-8590)

ILLINOIS REGISTER		CUMULATIVE INDEX		September 2, 1994
Vol. 18, Issue #35		Vol. 18, Issue #35		September 2, 1994
11 Ill. Adm. Code 1413	Entries, Subscriptions and Declarations (P-5505)	86 Ill. Adm. Code 150	Uniform Penalty & Interest Act (P-16421/93; A-1561) (P-9394)	
11 Ill. Adm. Code 207	Executive Secretary (P-124; A-7418)	86 Ill. Adm. Code 150	Use Tax (P-15527/93; A-1584)	
11 Ill. Adm. Code 1320	Forbidden Conduct (P-12041)	SAVINGS AND RESIDENTIAL FINANCE, COMMISSIONER OF		
11 Ill. Adm. Code 1313	General License Rules (P-6680)	38 Ill. Adm. Code 1075	Savings Bank Act (E-7016) (P-9858)	
11 Ill. Adm. Code 204	Hearings and Enforcement Proceedings (P-120; A-7419)	SECRETARY OF STATE		
11 Ill. Adm. Code 1411	Jockeys, Apprentice Jockeys, Agency & Valets (P-19892/93; A-2092)	14 Ill. Adm. Code 150	Business Corporation Act (P-1793; A-7783)	
11 Ill. Adm. Code 502	Licensing (P-5508) (A-11615)	92 Ill. Adm. Code 1040	Cancellation, Revocation or Suspension of Licenses or Permits (P-1797; A-7447) (P-2608; RC-10502) (P-2853) (A-10853) (A-11644) (P-12117)	
11 Ill. Adm. Code 509	Medication (P-2832; A-7428) (P-5795) (E-6019) (O-8504) (M-9562) (P-12043)	92 Ill. Adm. Code 1060	Commercial Driver Training Schools (P-142; A-7788)	
11 Ill. Adm. Code 405	Pari-Mutuels (P-2838) (A-11999) (C-12886) (P-13359)	23 Ill. Adm. Code 3030	Ill. Library System Act (P-190/2/93; A-7452) (RQ-12002) (EC-13154)	
11 Ill. Adm. Code 308	Pick (N) Pools (P-1773; A-7433)	92 Ill. Adm. Code 1070	Ill. Safety Responsibility Law (P-2217) (C-3016) (A-10909)	
11 Ill. Adm. Code 438	Pick N Wagering Pool (PR-2841; AR-7439) Programs (P-13362)	23 Ill. Adm. Code 3070	Illinois State Library Training Program Grants (P-19462/93; A-4981)	
11 Ill. Adm. Code 415	Quarter Horse Racing (P-15799/93; A-2098) Starting (P-5512) (A-11620)	92 Ill. Adm. Code 1030	Issuance of Licenses (P-993; A-7478) (P-15803/93; A-1591) (P-11924)	
11 Ill. Adm. Code 1415	Superfecta (P-1780; A-7440)	23 Ill. Adm. Code 3040	Literacy Grant Program (P-1541; A-1390)	
11 Ill. Adm. Code 311	Superficta (P-1780; A-7440)	92 Ill. Adm. Code 1001	Procedures and Standards (P-7731) (E-7916)	
11 Ill. Adm. Code 433	Totalizer Operations (P-1773; A-7443)	23 Ill. Adm. Code 3060	Public Library Construction Grants (P-18687/93; A-4996)	
11 Ill. Adm. Code 409	Trifecta (P-12622)	1 Ill. Adm. Code 100	Rulemaking (P-7087) (A-13067)	
REHABILITATION SERVICES, DEPARTMENT OF		14 Ill. Adm. Code 180	Uniform Commercial Code (P-18791/93; A-2111)	
89 Ill. Adm. Code 515	Advisory Councils (P-2846) (A-11623)	STATE POLICE MERIT BOARD, DEPARTMENT		
89 Ill. Adm. Code 557	Application (P-12048) (P-12625)	2 Ill. Adm. Code 2050	Public Information, Rulemaking and Organization (A-6019)	
89 Ill. Adm. Code 553	Assessment For Determining Eligibility And Rehabilitation Needs (P-13048)	STUDENT ASSISTANCE COMMISSION, ILLINOIS		
89 Ill. Adm. Code 688	Illinois-Long-Term Care Partnership Demonstration Program (P-4093) (A-11267)	23 Ill. Adm. Code 2771	College Savings Bond Bonus Incentive Grant (Big) Program (P-1006; A-10246)	
89 Ill. Adm. Code 830	Non-Academic Programs and Policies (P-6267)	23 Ill. Adm. Code 2720	Federal Family Education Loan Program (P-1013; A-10254)	
89 Ill. Adm. Code 640	Projects with Industry (P-4097) (A-11271)	23 Ill. Adm. Code 2772	Fellowship, Traineeship & Scholarship Programs (CC-10279)	
89 Ill. Adm. Code 546	Public Use of DORS Facilities (P-1784; A-10241)	23 Ill. Adm. Code 2700	General Provisions (P-1037; A-10282)	
89 Ill. Adm. Code 590	Services (P-3106) (A-11275)	23 Ill. Adm. Code 2731	Grant Programs for Dependents of Correctional Officers (P-1054; A-10299)	
REVENUE, DEPARTMENT OF		23 Ill. Adm. Code 2730	Illinois National Guard Grant Program (P-1058; A-10303)	
86 Ill. Adm. Code 430	Bingo License and Tax Act (P-4101) (A-12501)	23 Ill. Adm. Code 2733	Illinois Veteran Grant (IVG) Program (P-1064; A-10309)	
86 Ill. Adm. Code 435	Charitable Games Act (P-4109) (A-11629)	23 Ill. Adm. Code 2761	Merit Recognition Scholarship (MRS) Program (P-1073; A-10318)	
86 Ill. Adm. Code 100	Income Tax (P-15471/93; A-1510) (P-17861/93; A-2494) (P-21163/93; A-7768) (P-9377)			
86 Ill. Adm. Code 500	Motor Fuel Tax (CC-4451)			
86 Ill. Adm. Code 750	Payment of Taxes by Electronic Funds Transfer (P-6112)			
86 Ill. Adm. Code 432	Pull Tabs and Jar Games Act (P-4117) (A-11636)			
86 Ill. Adm. Code 120	Real Estate Transfer Tax (P-1789) (A-12849)			
86 Ill. Adm. Code 130	Retailers' Occupation Tax (P-982) (P-15501/93; A-1537) (P-6684)			
86 Ill. Adm. Code 140	Service Occupation Tax (P-15515/93; A-1550)			
86 Ill. Adm. Code 160	Service Use Tax (P-15522/93; A-1557)			

44 Ill. Adm. Code 650	Prequalification of Contractors & Issuance of Plans & Proposals (P-3208;A-9478)
92 Ill. Adm. Code 107	Procedures (P-21333/93;A-7881)
92 Ill. Adm. Code 386	Procedures & Enforcement (P-13734/93;A-778)
92 Ill. Adm. Code 391	Qualification of Drivers (P-13739/93;A-783)
92 Ill. Adm. Code 518	Relocation Assistance and Payments Program (P-12628/93;A-283)
92 Ill. Adm. Code 447	School Bus Brake Inspections (P-13367)
92 Ill. Adm. Code 173	Shippers General Requirements for Shipments and Packaging (P-21345/93;A-7895)
92 Ill. Adm. Code 178	Specifications for Packaging (P-21351/93;A-7901)
92 Ill. Adm. Code 179	Specifications for Tank Cars (P-21362/93;A-7912)
92 Ill. Adm. Code 533	Use and Enjoyment of Rest Areas (P-18447/93;A-2625)
92 Ill. Adm. Code 450	Vehicle Inspection Section Hearings (P-7733)

UNIVERSITY OF ILLINOIS, THE BOARD OF TRUSTEES OF

23 Ill. Adm. Code 1300	Certificate of Certified Accountants (P-5515)
89 Ill. Adm. Code 1200	Program Content & Guidelines for Division of Specialized Care for Children (P-7780/93;A-2104)

NOTICE OF PUBLIC HEARINGS

AGRICULTURE, DEPARTMENT OF	
8 Ill. Adm. Code 30; Animal Control Act	11666
8 Ill. Adm. Code 110; Animal Diagnostic Laboratory Act	11667
8 Ill. Adm. Code 25; Animal Welfare Act	11668
8 Ill. Adm. Code 70; Horsemeat	11669
8 Ill. Adm. Code 35; Humane Care For Animals Act	11670
8 Ill. Adm. Code 50; Humane Slaughter Of Livestock	11671
8 Ill. Adm. Code 90; Illinois Dead Animal Disposal Act	11672
8 Ill. Adm. Code 515; Refrigerated Warehouses Act	11673

CARNIVAL-AMUSEMENT SAFETY BOARD

56 Ill. Adm. Code 6000; Carnival and Amusement Ride Inspection Law	6187
--	------

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF

89 Ill. Adm. Code 406; Licensing Standards for Day Care Homes	5363
89 Ill. Adm. Code 408; Licensing Standards for Group Day Care Homes	5364

EDUCATION, STATE BOARD OF

23 Ill. Adm. Code 401; Nonpublic Special Education Facilities	10507
---	-------

PROFESSIONAL REGULATION, DEPARTMENT OF

68 Ill. Adm. Code 1375; Professional Counselor and Clinical Professional Licensing Act	8200
--	------

23 Ill. Adm. Code 2763	Minority Teachers of Ill. (MTI) Scholarship Program (P-1080; A-10325)
23 Ill. Adm. Code 2762	Paul Douglas Teacher Scholarship Program (P-1089; A-10333)
23 Ill. Adm. Code 2732	Police Officer/Fire Officer Survivor Grant Program (P-1098; A-10342)
23 Ill. Adm. Code 2760	State Scholar Program (P-1803; A-10346)
23 Ill. Adm. Code 2770	Student to Student (STS) Program of Matching Grants (P-1102; A-10354)

TEACHERS' RETIREMENT SYSTEMS OF THE STATE OF ILLINOIS

80 Ill. Adm. Code 1650	The Administration and Operation of the Teachers' Retirement System (P-22487/93;A-6349) (P-8904) (E-8949) (O-12069) (W-12880)
------------------------	---

TRANSPORTATION, DEPARTMENT OF

92 Ill. Adm. Code 14	Aviation Safety (P-5796) (A-13461)
92 Ill. Adm. Code 177	Carriage by Public Highway (P-21305/93;A-7852)
92 Ill. Adm. Code 700	Construction in Floodways of Rivers, Lakes & Streams (P-607; A-8167) (E-790)
92 Ill. Adm. Code 180	Continuing Qualification & Maintenance of Packaging (P-21310;A-7857)
92 Ill. Adm. Code 397	Driving & Parking (P-13686/93;A-736)
92 Ill. Adm. Code 392	Driving of Motor Vehicles (P-13690/93;A-740) (P-2909; A-10359)
92 Ill. Adm. Code 600	Employee Commute Options (P-12613/93; A-540)
92 Ill. Adm. Code 708	Floodway Construction in Northeastern Ill. (P-1811) (A-11284)
92 Ill. Adm. Code 171	General Information, Regulations and Definitions (P-21314/93;A-7861)
92 Ill. Adm. Code 172	Hazardous Materials Table and Hazardous Materials (P-21326/93;A-7874)
92 Ill. Adm. Code 395	Hours of Service of Drivers (P-13693/93;A-743)
92 Ill. Adm. Code 396	Inspection, Repair & Maintenance (P-13699/93;A-749)
92 Ill. Adm. Code 444	Minimum Safety Standards for Construction of School Buses used in Special Education Transportation (P-6318)
92 Ill. Adm. Code 440	Minimum Safety Standards for Construction of Type I School Buses (P-6272)
92 Ill. Adm. Code 442	Minimum Safety Standards for Construction of Type II School Buses (P-6304)
92 Ill. Adm. Code 390	Motor Carrier Safety Regs. (P-13986/93;A-754) (P-2912; A-10362)
92 Ill. Adm. Code 457	Motorcyclists' Eye Protection (P-11150)
92 Ill. Adm. Code 456	Nonscheduled Bus Inspections (P-4126) (A-11650)
92 Ill. Adm. Code 393	Parts & Accessories Necessary for Safe Operation (P-13730/93;A-774)

Vol. 18, Issue #35	ILLINOIS REGISTER CUMULATIVE INDEX	September 2, 1994
FINANCIAL INSTITUTIONS, DEPARTMENT OF		
Notice Of Names Of Persons Appearing To Be Owners Of Unclaimed Property Whose Last Known Addresses are in Certain States		12887
INSURANCE, DEPARTMENT OF		
Long-Term Care Partnership Insurance		4464
POLLUTION CONTROL BOARD		
Notice Pursuant to Ill. Rev. Stat. 1991, Ch. 111 1/2, Par. 1007.2(b) 415 ILCS 5/7.2(b)		3154
PUBLIC AID, DEPARTMENT OF		
Proposed change in Reimbursements to Hospitals under the Medicaid Program		5020
Requests For Copies Of The Waivers To The Medicaid Program To Implement Provisions Of The Integrated Health Care Program		12003
REVENUE, DEPARTMENT OF		
Index Of Letter Rulings (1993 - 3rd Quarter) (ROT)		7512
Index Of Letter Rulings (1993 - 4th Quarter) (Income Tax)		7552
Index Of Letter Rulings (1993 - 4th Quarter) (ROT)		7953
Index Of Letter Rulings (1994 - 1st Quarter) (Income Tax)		10956
Index Of Letter Rulings (1994 - 1st Quarter) (ROT)		12070
Private Letter Rulings (1994-2nd Quarter) (Income Tax)		7028
Act 20 ILCS 2515/1, et seq.		11388
The Uniform Penalty & Interest Act		
REGULATORY AGENCY		
AGRICULTURE, DEPARTMENT OF		
Swine Disease Control And Eradication Act; 8 Ill. Adm. Code 105		11674
REGULATORY FLEXIBILITY ANALYSIS		
COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF		
Notice of Regulatory Flexibility Impact Analysis		
2533, 2534, 3037, 3793, 3794, 4466, 6452, 6453, 7068, 7069, 8957, 8958, 8959, 10508, 11676, 11677		
JOINT COMMITTEE ON ADMINISTRATIVE RULES		
AGENDA		
Meeting of January 11, 1994		326
Meeting of February 15, 1994		2535
Meeting of March 22, 1994		

Vol. 18, Issue #35	ILLINOIS REGISTER CUMULATIVE INDEX	September 2, 1994
PUBLIC HEALTH, DEPARTMENT OF/HEALTH FACILITIES PLANNING BOARD		
77 Ill. Adm. Code 1130; Health Facilities Planning Procedural Rules		10948
77 Ill. Adm. Code 1100; Narrative & Planning Policies		10950
77 Ill. Adm. Code 1110; Processing, Classification Policies And Review Criteria		10952
77 Ill. Adm. Code 830; Structural Pest Control Code		2174
PUBLIC INFORMATION		
AGRICULTURE, DEPARTMENT OF		
Animal Diagnostic Laboratory Act		2527
ATTORNEY GENERAL		
Proposed Consent Decree pursuant to the Comprehensive Environment Response, Compensation & Liability Act & the Ill. Environmental Protection Act; Amoco Chemical/Joliet Landfill		3035
BANKS AND TRUST COMPANIES, COMMISSIONER OF		
Notice Of Acceptance Of An Application For Banc One Corporation, Columbus, Ohio To Acquire American Holding Co. Of Glencoe, Ill.		13504
Notice Of Acceptance Of An Application For The Bank Of Tokyo, Ltd., Tokyo, Japan To Acquire The Chicago-Tokyo Bank, Chicago, Ill.		10954
Notice Of Acceptance Of An Application; AMBANC Corp., Vincennes, Indiana To Acquire Lincolnland Bancshares, Inc., Casey, Ill.		7511
Notice Of Acceptance Of An Application; BankAmerica Corporation, San Francisco, California To Acquire Continental Bank Corporation, Chicago, Illinois		9656
Notice Of Acceptance Of An Application-First Of America Bank Corporation, Kalamazoo, Michigan To Acquire First Park Ridge Corporation, Chicago, Illinois		13162
Notice of Public Meeting of the Illinois Fiduciary Advisory Committee		556
Notice of Public Meeting-State Banking Board of Ill. and the Board of Trustees of the Ill. Bank Examiner's Education Foundation		2528
Notice of Public Meetings of the State Banking Board of Illinois and the Board of Trustees of the Illinois Bank Examiners' Education Foundation on June 28, 1994		9657
ENVIRONMENTAL PROTECTION AGENCY		
Listing of Derived Water Quality Criteria		318
Listing of Derived Water Quality Criteria		8734
Notice Of Proposed Settlement-People V. Burlington Northern Railroad Company et al.		10955

Vol. 18, Issue #35	ILLINOIS REGISTER CUMULATIVE INDEX	September 2, 1994
94-20	Nursing Home Week	2674
94-21	Kiwanis Week	2675
94-22	AFS Host Family Recognition Week	2675
94-23	Little City Foundation/Chicago Luvabulls Super Bowl Party Day	2676
94-24	National People's Action Take Back Our Streets and Communications Day	2676
94-25	Toughlove Programs Against Violence Month/Day Against Violence	2677
94-26	FFA Week	2677
94-27	Child Passenger Safety Month	2678
94-28	Dr. Carter G. Woodson Day	2679
94-29	Four Chaplins Sunday	2680
94-30	Lithuanian Independence Day	2680
94-31	Seed Month	2681
94-32	Post Anesthesia Nurses Awareness Week	2681
94-33	Dick Helton Day	3040
94-34	Engineers Week	3040
94-35	Future Business Leaders of America-Phi Lambda Week	3041
94-36	FWC Waukegan Woman's Club Day	3042
94-37	Manufacturing Week	3042
94-38	Marketing Week	3042
94-39	Multiple Sclerosis Awareness Month	3043
94-40	Nutrition Month	3043
94-41	Reading Is Fun Week	3044
94-42	Tornado Preparedness Week	3157
94-43	Representative Bob Olson Day	3157
94-44	Doctor's Day	3158
94-45	African American Contractors Day	3159
94-46	American Red Cross Month	3160
94-47	Chicago Academy for The Arts-5th Annual Dessert Classic Day	3161
94-48	Chronic Fatigue Syndrome Awareness Month	3162
94-49	National American Business Club Month	3797
94-50	School Breakfast Week	3797
94-51	School Social Work Week	3798
94-52	Denim Day	3799
94-53	Dental Assistants Recognition Week	3800
94-54	Employ The Older Worker Week	3800
94-55	Breastfeeding Promotion Month	4475
94-56	Herman M. Finch Day	4475
94-57	Music Education Day At The Capitol	4476
94-58	Cartamedas Day	4476
94-59	DuPage Symphony Orchestra Day	
94-60	Eye Donor Awareness Month	
94-61	Southern Illinois University Quasiquicentennial Day	
94-62	Apprenticeship Week	
94-63	Building Safety Week	
94-64	Greek Independence Day	
94-65	Malcolm X College Career Expo Day	

Vol. 18, Issue #35	ILLINOIS REGISTER CUMULATIVE INDEX	September 2, 1994
6023	Meeting of April 19, 1994	6023
7544	Meeting of May 17, 1994	7544
8742	Meeting of June 14, 1994	8742
11389	Agenda for Meeting of July 19, 1994	11389
12555	Agenda for Meeting of August 16, 1994	12555
SECOND NOTICES RECEIVED		
334, 557, 801, 1658, 2175, 2543, 2668, 3038, 3156, 3795, 4474, 5022,		
5365, 5711, 6029, 6188, 6455, 7072, 7552, 7961, 8202, 8505, 8752,		
8960, 9658, 10509, 10971, 11396, 11678, 12004, 12084, 12559, 12928,		
13163, 13505		
EXECUTIVE ORDERS AND PROCLAMATIONS		
EXECUTIVE ORDERS		
94-1	The Illinois Task Force on School-To-Work Transition	1659
94-2	Executive Order Creating The Illinois Commission on Regulatory Review	1661
94-3	Flood Transfer III	2669
94-4	Danville Sewage Treatment Facility	7074
94-5	Revocation of Executive Order Number 7(1985)	10510
94-6	Executive Order Creating An Advisory Panel On TRS Retiree Health Insurance	13508
PROCLAMATIONS		
93-553	Financial Literacy for Youth Month	336
93-554	Religious Freedom Day	559
93-555	Franchising Week	559
93-556	Self-Esteem Month	560
94-1	Black Data Processing Associates Day	802
94-2	Sertoma National Heritage Freedom Week	802
94-3	Alcoholism Halfway House Days	803
94-4	Bangladesh Day	804
94-5	Catholic Schools Week	804
94-6	Land Surveyors' Month	804
94-7	Dr. Martin Luther King Jr. Day/Day of Tribute	2546
94-8	African-American Unity March Day	2546
94-9	Human Services Week	2547
94-10	Ivan And Ruth Frick Day	2547
94-11	Week of the High Risk Child	2548
94-12	African-American History Month	2548
94-13	Free Enterprise Week	2548
94-14	International Festival Week	2549
94-15	Martina Navratilova Days	2550
94-16	Save A Life Day	2550
94-17	Student Financial Aid Awareness Month	2550
94-18	Self-Esteem Week	2674
94-19	Long-Term Care Administrators Week	2674

ILLINOIS REGISTER			ILLINOIS REGISTER		
CUMULATIVE INDEX			CUMULATIVE INDEX		
Vol. 18, Issue #35		September 2, 1994	Vol. 18, Issue #35		September 2, 1994
94-66	Professional Social Workers Month	4477	94-113	Professional Secretaries Week/Professional Secretaries Day	6036
94-67	Casimir Pulaski Day	4477	94-114	Saving Month	6036
94-67	Casimir Pulaski Day (Revised)	5024	94-115	Soccer In The Street Day	6036
94-68	Alcohol Awareness Month/Illinois State Youth Forum Day		94-116	Telecommunicator Week	6037
94-69	Certified Nurse Assistant Day	4478	94-117	Infant Immunization Week	6037
94-70	Curtis Mayfield Day	4478	94-118	Natural Resources Stewardship Month	6038
94-71	Licensed Practical Nurse Week	4479	94-119	Holocaust Commemoration Month	6190
94-72	Long-Term Care Nurses Week	4480	94-119	Holocaust Commemoration Month (Revised)	6199
94-73	Volunteer Week	4480	94-120	Illinois Cancer Pain Awareness Week	6190
94-74	Youth Art Month	4481	94-121	Emergency Medical Services Week	6190
94-75	Parents Inservice Conference Days	4481	94-122	Home Safety Week	6191
94-76	Bob Leininger Day	4482	94-123	Manufactured Housing Month	6191
94-77	Chicago Opportunity Days	5024	94-124	Month of the Young Child	6192
94-78	Mental Retardation And SPARC Awareness Month	5025	94-125	Organ And Tissue Donor Awareness Week	6193
94-79	Tree City USA Month	5025	94-126	Queen Isabella Day	6193
94-80	Agriculture Day	5026	94-127	Week of the Young Child	6194
94-81	Tibetan Day	5367	94-128	Harry Caray Day	6194
94-82	Violence Prevention Month	5367	94-129	Logistics Week	6195
94-83	Bicycle Helmet and Safety Awareness Week	5368	94-130	AIDS Awareness Day/AIDS Walk Springfield Day	6195
94-84	Free Paper Week	5368	94-131	American POW Recognition Day	6196
94-85	VA West Side Medical Center Women's History Month	5368	94-132	James S. Kemper, Jr. Day	6196
94-86	Camp Fire Boys and Girls Day	5369	94-133	Jewish Cultural Week	6197
94-87	Chicago Latino Film Festival Days	5369	94-134	Pakistan Day	6197
94-88	Student Council Week	5370	94-135	Purple Bows For Cancer's 2nd Introduction Day	6198
94-89	U.S. Savings Bond Campaign Month	5370	94-136	Chicago Youth Symphony Orchestra Day	6198
94-90	High Blood Pressure and Stroke Awareness Month	5712	94-137	Crime Victims Rights Week	6199
94-91	Irish American Heritage Month	5712	94-138	Israel Independence Day	6200
94-92	Youth Temperance Education Week	5713	94-139	Louis B. Kuhn Day	6201
94-93	Arbor Day in Palos Heights	5713	94-140	Tuftonia's Week	6201
94-94	Federal Employee of the Year Day	5714	94-141	Disaster Area-Douglas County	6457
94-95	Henrietta Sisk Day	5714	94-142	Disaster Area-Calhoun, Green and Jersey Counties	6457
94-96	Lake and Watershed Management Month	5715	94-143	Disaster Exists Within State of Illinois	6458
94-97	Medical Laboratory Week	5716	94-144	Disaster Area-Alexander, Cass, Menard, Sangamon, Dewitt and Vermillion Counties	6458
94-98	Motorcycle Awareness Month	5716	94-145	Anthony M. Tortoriello Day	6459
94-99	Nurses: The Heart of the Health Care Team Day	5716	94-146	Dave and Linda Kindernay Day	6459
94-100	Public Health Month	5717	94-147	Design/Drafting Week	6460
94-101	Rural Electric and Telephone Youth Day	5718	94-148	Harold Washington Day	6461
94-102	Student-Athlete Day	5718	94-149	Illinois Eye Fund/UIC Eye Center Day	6461
94-103	Call Before You Dig Month	6031	94-150	Medical Assistants Week	6462
94-104	Continuity Of Care Week	6031	94-151	Year of the Conger Expedition	6462
94-105	D.A.R.E. Day	6032	94-152	Youth Service Day	6463
94-106	Illinois Community College Month	6032	94-153	Chicago Coin Club Day	6463
94-107	Sexual Assault Awareness Month	6033	94-154	Child Abuse Prevention Services Day	6464
94-108	STD Awareness Month	6033	94-155	Keep America Beautiful Month	6464
94-109	Women's Federation For World Peace Days	6034	94-156	Seth Ira Stearns Day	6465
94-110	American Association for Affirmative Action Days	6034	94-157	Girl Scout Leaders Day	7075
94-111	Illinois State Quartet Convention Week	6035	94-158	Disaster Areas-Champaign and Iroquois Counties	7075
94-112	Probation Officer Day	6035	94-159	Christian Heritage Week	7075

Vol. 18, Issue #35	ILLINOIS REGISTER CUMULATIVE INDEX	September 2, 1994
94-160	Darryl Hartley-Leonard and Hyatt Hotels Corporation Day	7076
94-161	Scientific Literacy Week	7076
94-162	E.M. (Buck) Chastain Day	7077
94-163	Groundwater Protection Month	7078
94-164	Monsignor Edward J. Duncan Day	7078
94-165	Smiles for Little City Days	7079
94-166	George Hovanec Appreciation Day	7079
94-167	Kim Deakins, Janelle King and Mary Murphy Day	7080
94-168	Suicide Prevention Week/Survivors of Suicide Day	7080
94-169	Day of Prayer	7081
94-170	James M. Bailey Day	7081
94-171	Chicago Commons Month	7082
94-172	Charleston Area Senior Center Day	7083
94-173	Community Banking Week	7083
94-174	Correctional Officer Week	7084
94-175	Dyslexia/Learning Disabilities Month	7084
94-176	Home Education Week	7085
94-177	Mattoon Area Senior Center Day	7085
94-178	Zion Missionary Baptist Day	7086
94-179	Disaster Areas - Madison, Madon, Monroe, Piatt and St. Clair Counties	7086
94-180	Better Hearing and Speech Month	7963
94-181	Bike Month	7963
94-182	Cytotechnology Day	7964
94-183	Drinking Water Week	7964
94-184	George Tammings Day	7965
94-185	Holy Name of Mary Parish Women's Day	7966
94-186	Law Day	7966
94-187	Mathematics Awareness Week	7967
94-188	Metropolitan Pier and Exposition Authority Employee Longevity Day	7967
94-189	Mother of the Year Day	7968
94-190	Nurses Week	7968
94-191	Older Americans Month	7969
94-192	Public Service Recognition Day	7970
94-193	Children's Emotional and Behavioral Disorders Awareness Week	7971
94-194	Illinois Small Business Week	7971
94-195	Hadasah Days	7972
94-196	Family Service DuPage Day	7972
94-197	Life Insurance Week	7973
94-198	South Holland Centennial Day/South Holland Centennial Week/South Holland Centennial Month	7973
94-199	Asian Pacific American Heritage Month	7974
94-200	Dr. Joseph C. Dalpiaz Day	7975
94-201	Foster Parent Appreciation Month	7975
94-202	Polish Constitution Day	7976
94-203	Women in Trades Career Day	7976

Vol. 18, Issue #35	ILLINOIS REGISTER CUMULATIVE INDEX	September 2, 1994
94-204	Illinois State Chamber of Commerce/75th Anniversary Year	7977
94-205	Loyalty Day	7978
94-206	Music Week	7978
94-207	RP Awareness Day	7979
94-208	Chicago Crime Commission Day	7979
94-209	Eugene E. Lungar Day	7980
94-210	National Association of Women Business Owners Public Affairs Day	7980
94-211	Physical Fitness and Sports Month/Physical Education and Sports Week	7981
94-212	Project Aces Day	7982
94-213	Cambodian Culture Days	7982
94-214	Gene Siskel Day	7983
94-215	Kantorei Week	7983
94-216	React Month	7984
94-217	Womens Lawyers' Day	7985
94-218	Arts Week	8204
94-219	Rotary Club of Oak Park Day	8204
94-220	SCORE DAY	8205
94-221	A.J. Boggio Day	8205
94-222	D.A.R.E. Family Night with the Cardinals	8206
94-223	Howard A. Peters III Day	8207
94-224	Mother's Day	8208
94-225	Palos Heights Public Library Day	8208
94-226	Planet Illinois Day	8209
94-227	Gateway Foundation Day	8209
94-228	Legacy Foundation Day	8210
94-229	National Association of Insurance Women's Week	8210
94-230	Surgical Technologists Week	8211
94-231	World Cup Education Month/World Cup Daus	8211
94-232	Child Support Awareness Month	8212
94-233	Electrical Safety Month	8213
94-234	Highland Community College Collegiate Choir Day	8213
94-235	Telephone Operators Week at Illinois Masonic Medical Center	8214
94-236	Alan F. Quocos Day	8214
94-237	CPA Day	8214
94-238	Maritime Day	8215
94-239	Railroad Women's Day	8215
94-240	Tourism Day	8216
94-241	Transportation Day	8216
94-242	Buckle-Up America Month	8217
94-243	Dr. William Hill Day	8218
94-244	Stamp Collecting Week	8218
94-245	Tourism Day	8507
94-246	Black Child Development Week	8507
94-247	ENCARE Day	8507
94-248	Public Humanities Day	8508
94-249	School Counselor Week	8508

ILLINOIS REGISTER		ILLINOIS REGISTER	
Vol. 18, Issue #35	CUMULATIVE INDEX	Vol. 18, Issue #35	CUMULATIVE INDEX
94-250 Greek American Heritage Week	8509	94-298 Marine Corps League and Auxiliary Week	8970
94-251 Jeff Childs Day	8510	94-299 Ross Gardiner Day	8971
94-252 John Stoffel Day	8510	94-300 Naperville Heritage Society Day	9660
94-253 Ray Passis Day	8511	94-301 Robert M. Healy Day	9661
94-254 Raymond J. Norbut Day	8511	94-302 Serbian-American Day	9661
94-255 Ron Koeppi Day	8512	94-303 Father'd Day	9662
94-256 Cornelia de Lange Awareness Day	8512	94-304 William R. Deutsch Day	9662
94-257 CRS Day	8513	94-305 World Cup Day at Arlington International Racecourse	9662
94-258 Eugene C. Swager Day	8513	94-306 Baha'I Centenary Day	9663
94-259 Soccer Celebration Day	8514	94-307 Chales Blanchard Congratulated Day	9664
94-260 Illinois River Appreciation Month	8515	94-308 Fred Garcia Day	9664
94-261 Moving Vietnam Memorial Wall Days	8516	94-309 Torch Relay Day of the U.S. Olympic Festival-'94	9665
94-262 Sweet Success Day	8516	94-310 World Cup Days	9665
94-263 Dr. Harold D. McAnich Day	8517	94-311 American Jewish Committee Human Rights Medallion Day	10510
94-264 Operation Halyard Day	8517	94-312 Elevator Safety Week	10511
94-265 Alfred Eisenstaedt Day	8517	94-313 Tuskegee Airman Week	10511
94-266 Chicago Academy for the Arts/Phil Donahue and Mario Thomas Day	8754	94-314 Black Expo Week	10511
94-267 Illinois Agricultural Youth Institute Days	8754	94-315 Dinner of Champions Day	10512
94-268 Safe Boating Week	8755	94-316 Joe Clair Day	10513
94-269 Safety Week	8756	94-317 Melvin Price Locks And Dam Day	10513
94-270 Garden Week	8757	94-318 Spain Day	10514
94-271 Italian-American War Veterans' Day	8757	94-319 Agnes C. Kazmark Day	10514
94-272 James-Burt Family Reunion Days	8757	94-320 State Board of Elections Congratulated	10515
94-273 Mary Jean Cummings Day	8758	94-321 Art In The Long Term Care Community Day	10515
94-274 Robert Lweandowski Day	8759	94-322 Blood Donor Awareness Month	10516
94-275 D-Day Veterans' Day	8759	94-323 Hemochromatosis Screening Awareness Month	10516
94-276 Day of the African Child	8760	94-324 Hispanic Heritage Month	10517
94-277 GI Bill Day	8760	94-325 Lincoln Land Community College Loggers Day	10517
94-278 Jewish-American Sports Hall of Fame Day	8761	94-326 Lake Michigan Yachting Association Day	10972
94-279 Peter Joseph Sendar Day	8762	94-327 Speech Week	10972
94-280 American GI Forum Day	8763	94-328 Therapeutic Recreation Week	10973
94-281 Philippine Week 1994	8763	94-329 Aleksa Dujovic Day (Revised)	10973
94-282 Try American Day	8764	94-330 Dr. Ron Gierhan Day	10973
94-283 Bengali Week	8962	94-331 Real Men Cook For Chicago Charities Day	10974
94-283 Bengali Day (Revised)	8962	94-332 Robert B. Huff Scholarship Foundation Day	10974
94-284 Fraternal Week	8962	94-333 Grandparents Day	10975
94-285 Jewish Fold Arts Festival Day	8963	94-334 Jewish National Fund Day	10975
94-286 Otis Wilson Celebrity Golf Classic Day	8963	94-335 Church of God In Christ, Northern Illinois Jurisdiction Week	10976
94-287 Dr. William Attea Day	8964	94-336 Serbian National Defense Council of America Days	10976
94-288 Springfield Area Arts Council Month	8964	94-337 Bill And Cathy Brady Day	10977
94-289 Amateur Radio Week	8965	94-338 Robert A. Wallhaus Day	10977
94-290 Men's Health Week	8965	94-339 Special Session - Senate Bills 776 and 1690 and House Bills 12 and 1882	11398
94-291 Reflex Sympathetic Dystrophy Syndrome Week	8966	94-340 Special Session - House Bill 2424	11398
94-292 Westside Health Partnership Unity Days	8966	94-341 Peotone's Year of the Mill	13999
94-293 Woman's Club of Springfield Day	8967	94-342 Kid's Health and Safety Day	13999
94-294 Amnesty International Days	8967		
94-295 Bruckner Guest House Day	8968		
94-296 Celebrate 20 Years of WIC Month	8969		
94-297 Challenge of Champions Day	8969		

94-343 U.S. Space Observance Days/Space Exploration Day	11400	94-389 Illinois Connection Day	12930
94-344 Korean War Veterans Day	11400	94-390 Lions Candy Day	12930
94-345 Village of Chicago Ridge Festival Days	11401	94-391 Professional Security Month	12930
94-346 Foster/Fourte Family Reunion Day	11401	94-392 Americans With Disabilities Act Day	12931
94-347 Leadership American and Leadership Illinois Day	11402	94-393 Firefighters Appreciation Month	12931
94-348 Captive Nations Week	11402	94-394 Chamber of Commerce Week	12932
94-349 Governor's Cup Week	11402	94-395 Child Support Awareness Month	12932
94-350 Roland Burris Day	11403	94-396 Easter Seal Day	12932
94-351 Judge Leo P. Poch Day	11403	94-397 Gil Peterson Day	12933
94-352 Pike County Courthouse/100th Anniversary	11404	94-398 Vocational Student Organization Week	12933
94-353 School's Open Safety Week	11404	94-399 Iron Overload Diseases Awareness Week	12934
94-354 Smokey Bear Week	11405	94-400 "Just Say No" Day	12934
94-355 South Holland Business Association Day	11405	94-401 Tie One On For MADD Day	12934
94-356 Week of Unity/Day of Unity	11680	94-402 Korean Heritages Education Day	12935
94-357 Flood Awareness Day	11680	94-403 Richard H. Orcutt Day	12935
94-358 Dr. R.H. Harris Day	11681	94-404 State Street Salutes Brent Minor Day	12936
94-359 Dr. Steven G. Economou Day	11681	94-405 Economic Opportunity Action Week	13164
94-360 Wileys' Day	11682	94-406 India Independence Day	13165
94-361 Aleksa J. Dujovic Day	12005	94-407 Lexia B. Young Day	13165
94-362 ACT-SO Day	12005	94-408 Temporary Help Week	13166
94-363 Constitution Week	12005	94-409 TRIMS Day	13166
94-364 Peruvian Day	12006	94-410 Cops and Kids Day	13166
94-365 Spinal Health Care Month	12006	94-411 Dental Hygiene Month	13167
94-366 United States Coast Guard Day	12006	94-412 Drug Free Youth Days	13167
94-367 Women's Business Development Day	12560	94-413 Ukrainian Independence Day	13168
94-368 Delta Sigma Theta Sorority Inc. Habitat For Humanity Day	12560	94-414 Chicago International Children's Film Festival Week	13510
94-369 Dolphin Family Days	12561	94-415 Lincoln Award For Business Excellence Established	13510
94-370 Ecuador Day	12561	94-416 Merrill's Marauder's Association Day	13511
94-371 Reverend George "Ed" Riddick/Day of Mourning	12561	94-417 Mexican Independence Month	13511
94-372 Unit Church Ushers League Day	12561	94-418 Park District Conservation Day	13512
94-373 Bud Billiken Day	12562	94-419 Dr. Dorothy Owens Day	13512
94-374 Ethnic Museum And Cultural Display Day	12562	94-420 Eye Screening Day For Seniors	13513
94-375 Illinois Small Business Development Center Network Congratulated	12563	94-421 Harambee Soiree Day	13513
94-376 Chief Kenneth Alley Day	12563	94-422 Respect Life Week	13513
94-377 Help Retarded Citizens Days	12564	94-423 Rosehill Heritage Day	13514
94-378 Hillsboro Bluegrass Music Days	12564	94-424 Slovakia American Culture Day	13514
94-379 Ladies Pro Bowlers Tour Week	12564	94-425 Theodora Mayo Day	13515
94-380 Maine Township Day	12565	94-426 Pike County Farm Bureau Day	13515
94-381 Pete Frantz Day	12565	94-427 Illinois State Fair Recognized	13515
94-382 Rainbows Month	12565	94-428 Women's Equality Year/Women's Suffrage Month	13516
94-383 Gang Awareness Week	12565	94-429 Pornography Awareness Week	13516
94-383 Gang Awareness Week (Revised)	12566	94-430 Springfield College In Illinois Day	13517
94-384 International Engineering Consortium Threshold To A Global Future Week	13164	94-431 Veterinary Technician Week	13517
94-385 Disaster Areas-West Point and Stillwell	12566	94-432 Eugene Haynes Recognized	13517
94-386 Labor Blood Donating Month	12929		
94-387 Harold Moser Day	12929		
94-388 Hispanic Evangelical Youth Week	12929		

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(Title 8, con't)								
25,120	am	(P-8893)	257,50	n	(P-14288/93;A-205)	100,240	am	(P-20094/93;A-4811)
25,130	am	(P-8933)	257,60	n	(P-14288/93;A-205)	100,250	am	(P-20094/93;A-4811)
25,140	am	(P-8972)	257,70	n	(P-14288/93;A-205)	100,260	am	(P-20094/93;A-4811)
30,120	am	(P-8972)	257,80	n	(P-14288/93;A-205)	100,280	am	(P-20094/93;A-4811)
30,20	am	(P-8972)	257,90	n	(P-14288/93;A-205)	100,300	am	(P-20094/93;A-4811)
30,40	am	(P-8972)	257,100	n	(P-14288/93;A-205)	100,310	am	(P-20094/93;A-4811)
30,90	am	(P-8972)	270,10	am	(P-3164;A-9400)	100,320	am	(P-20094/93;A-4811)
30,140	am	(P-9008)	270,15	am	(P-3164;A-9400)	100,330	am	(P-20094/93;A-4811)
35,30	am	(P-9008)	270,20	am	(P-3164;A-9400)	100,340	am	(P-20094/93;A-4811)
40,60	am	(P-14769/93;A-1869)	270,25	am	(P-3164;A-9400)	100,360	am	(P-20094/93;A-4811)
40,80	am	(P-14769/93;A-1869)	270,35	am	(P-3164;A-9400)	100,370	am	(P-20094/93;A-4811)
40,80	am	(P-14769/93;A-1869)	270,40	am	(P-3164;A-9400)	100,380	am	(P-20094/93;A-4811)
40,110	am	(P-14769/93;A-1869)	270,50	am	(P-3164;A-9400)	100,370	am	(P-20094/93;A-4811)
40,170	am	(P-14769/93;A-1869)	270,70	am	(P-3164;A-9400)	100,380	am	(P-20094/93;A-4811)
50,10	am	(P-9011)	270,75	am	(P-3164;A-9400)	204,10	am	(P-126;A-7419)
50,20	am	(P-9011)	270,85	am	(P-3164;A-9400)	204,20	am	(P-126;A-7419)
50,80	am	(P-9003)	270,90	am	(P-3164;A-9400)	204,30	am	(P-126;A-7419)
70,130	am	(P-9003)	270,95	am	(P-3164;A-9400)	204,40	am	(P-126;A-7419)
75,5	am	(P-14728/93;A-1833)	270,130	am	(P-3164;A-9400)	204,50	am	(P-126;A-7419)
75,10	am	(P-14728/93;A-1833)	270,135	am	(P-3164;A-9400)	204,60	am	(P-126;A-7419)
75,40	am	(P-14728/93;A-1833)	270,140	am	(P-3164;A-9400)	204,70	am	(P-126;A-7419)
75,120	am	(P-14728/93;A-1833)	270,150	am	(P-3164;A-9400)	204,80	am	(P-126;A-7419)
75,180	am	(P-14728/93;A-1833)	270,165	am	(P-3164;A-9400)	204,90	am	(P-126;A-7419)
75,190	am	(P-14728/93;A-1833)	270,170	am	(P-3164;A-9400)	204,100	am	(P-126;A-7419)
75,200	am	(P-14728/93;A-1833)	270,180	am	(P-3164;A-9400)	204,110	am	(P-126;A-7419)
75,210	am	(P-14728/93;A-1833)	270,190	am	(P-3164;A-9400)	204,120	am	(P-126;A-7419)
75,26A	r	(P-14728/93;A-1833)	270,205	am	(P-3164;A-9400)	206,10	am	(P-112;A-7407)
75,Tab.B	r	(P-14728/93;A-1833)	270,210	am	(P-3164;A-9400)	206,20	am	(P-112;A-7407)
85,5	am	(P-14747/93;A-1850)	270,221	n	(P-3164;A-9400)	206,30	am	(P-112;A-7407)
85,15	am	(P-14747/93;A-1850)	270,235	am	(P-3164;A-9400)	207,40	r	(P-124;A-7418)
85,50	am	(P-14747/93;A-1850)	270,240	am	(P-3164;A-9400)	208,10	am	(P-115;A-7410)
85,100	am	(P-14747/93;A-1850)	270,245	am	(P-3164;A-9400)	208,20	am	(P-115;A-7410)
85,110	am	(P-14747/93;A-1850)	270,261	am	(P-3164;A-9400)	208,30	am	(P-115;A-7410)
85,115	am	(P-14747/93;A-1850)	270,280	am	(P-3164;A-9400)	208,40	am	(P-115;A-7410)
85,125	am	(P-14747/93;A-1850)	270,320	am	(P-3164;A-9400)	208,100	am	(P-115;A-7410)
90,10	am	(P-9018)	270,365	am	(P-3164;A-9400)	208,110	am	(P-115;A-7410)
90,110	am	(P-9018)	270,371	n	(P-3164;A-9400)	208,120	am	(P-19057/93;A-2072)
90,120	am	(P-9018)	270,395	am	(P-3164;A-9400)	210,10	n	(P-13342)
105,5	am	(P-14781/93;A-1880)	270,480	am	(P-3164;A-9400)	308,10	n	(P-1773;A-7433)
105,10	am	(P-14781/93;A-1880)	270,510	am	(P-3164;A-9400)	308,20	n	(P-1773;A-7433)
105,30	am	(P-14781/93;A-1880)	270,540	am	(P-3164;A-9400)	308,30	n	(P-1773;A-7433)
110,50	am	(P-14717/93;A-1825)	270,625	am	(P-3164;A-9400)	308,40	n	(P-1773;A-7433)
110,70	am	(P-6981)	270,685	am	(P-3164;A-9400)	308,50	am	(P-1773;A-7433)
110,80	am	(P-6981)	515,5	am	(P-9033)	308,60	n	(P-1773;A-7433)
110,90	am	(P-14717/93;A-1825)	515,60	am	(P-9033)	308,70	n	(P-1773;A-7433)
110,90	am	(P-14717/93;A-1825)	515,110	am	(P-9033)	308,80	n	(P-1773;A-7433)
110,110	am	(P-6981)	515,130	am	(P-9033)	308,90	n	(P-1773;A-7433)
116,10	am	(P-6981)	515,150	am	(P-9033)	309,00	n	(P-1773;A-7433)
116,10	am	(P-14761/93;A-1861)	600,1	am	(P-8519)	311,10	n	(P-1780;A-7440)
116,20	am	(P-14761/93;A-1861)	600,300	am	(P-8519)	311,20	n	(P-1780;A-7440)
116,30	am	(P-14761/93;A-1861)	600,320	n	(P-8519)	311,30	n	(P-1780;A-7440)
125,100	am	(P-3809;A-11489)	600,820	am	(P-8519)	311,40	n	(P-1780;A-7440)
125,110	am	(P-3809;A-11489)				405,90	am	(P-10030/93;A-2087)
125,120	am	(P-3809;A-11489)				405,100	am	(P-2838(C)-12866)
125,260	am	(P-1891793;A-4622)	100,5	am	(P-20094/93;A-4811)	405,120	am	(P-2838(A)-11999)
125,270	am	(P-6442(P)-8493)	100,10	am	(P-20094/93;A-4811)	409,20	am	(P-13359)
125,280	am	(P-6442(P)-8493)	100,20	am	(P-20094/93;A-4811)	415,10	am	(P-12622)
125,280	am	(P-6442(P)-8493)	100,50	am	(P-20094/93;A-4811)	415,20	am	(P-13362)
125,280	am	(P-12546)	100,60	am	(P-20094/93;A-4811)	415,30	r	(P-13362)
125,280	am	(P-12546)	100,70	am	(P-20094/93;A-4811)	415,40	am	(P-13362)
125,280	am	(P-12546)	100,90	am	(P-20094/93;A-4811)	415,50	am	(P-13362)
125,380	am	(P-1891793;A-4622)	100,100	am	(P-20094/93;A-4811)	433,45	am	(P-137;A-7443)
125,390	am	(P-12164)	100,130	am	(P-20094/93;A-4811)	438,10	r	(P-2841;A-7439)
257,10	am	(P-14288/93;A-205)	100,150	am	(P-20094/93;A-4811)	438,20	r	(P-2841;A-7439)
257,20	am	(P-14288/93;A-205)	100,160	am	(P-20094/93;A-4811)	438,30	r	(P-2841;A-7439)
257,30	am	(P-14288/93;A-205)	100,170	am	(P-20094/93;A-4811)	438,35	r	(P-2841;A-7439)
257,40	am	(P-14288/93;A-205)	100,180	am	(P-20094/93;A-4811)	438,40	r	(P-2841;A-7439)
257,50	am	(P-14288/93;A-205)	100,210	am	(P-20094/93;A-4811)	438,45	r	(P-2841;A-7439)

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ILLINOIS REGISTER

Volume 18, Issue #35	SECTIONS AFFECTED	INDEX	Sept. 2, 1994
<p> Volume 18, Issue #35 </p>			

(Title 35, con't.)

817.202	n	(P-11040)	am	130.60
817.203	n	(P-12085)	am	180.10
817.204	n	(P-12085)	am	180.15
817.301	n	(P-12085)	am	180.20
817.302	n	(P-12085)	am	180.25
817.303	n	(P-12085)	am	180.30
817.304	n	(P-12085)	am	180.35
817.305	n	(P-12085)	am	180.40
817.306	n	(P-12085)	am	180.45
817.307	n	(P-12085)	am	180.50
817.401	n	(P-12085)	am	180.55
817.402	n	(P-12085)	am	180.60
817.403	n	(P-12085)	am	180.65
817.404	n	(P-12085)	am	180.70
817.405	n	(P-12085)	am	180.75
817.406	n	(P-12085)	am	180.80
817.407	n	(P-12085)	am	180.85
817.408	n	(P-12085)	am	180.90
817.409	n	(P-12085)	am	180.95
817.410	n	(P-12085)	am	181.00
817.411	n	(P-12085)	am	181.05
817.412	n	(P-12085)	am	181.10
817.413	n	(P-12085)	am	181.15
817.414	n	(P-12085)	am	181.20
817.415	n	(P-12085)	am	181.25
817.416	n	(P-12085)	am	181.30
817.417	n	(P-12085)	am	181.35
817.418	n	(P-12085)	am	181.40
817.419	n	(P-12085)	am	181.45
817.501	n	(P-12085)	am	181.50
817.502	n	(P-12085)	am	181.55
817.503	n	(P-12085)	am	181.60
817.504	n	(P-12085)	am	181.65
817.505	n	(P-12085)	am	181.70
817.506	n	(P-12085)	am	181.75
817.507	n	(P-12085)	am	181.80
817.508	n	(P-12085)	am	181.85
817.509	n	(P-12085)	am	181.90
817.510	n	(P-12085)	am	181.95
817.511	n	(P-12085)	am	182.00
817.512	n	(P-12085)	am	182.05
817.513	n	(P-12085)	am	182.10
817.514	n	(P-12085)	am	182.15
817.515	n	(P-12085)	am	182.20
817.516	n	(P-12085)	am	182.25
817.517	n	(P-12085)	am	182.30
817.518	n	(P-12085)	am	182.35
817.519	n	(P-12085)	am	182.40
817.520	n	(P-12085)	am	182.45
817.521	n	(P-12085)	am	182.50
817.522	n	(P-12085)	am	182.55
817.523	n	(P-12085)	am	182.60
817.524	n	(P-12085)	am	182.65
817.525	n	(P-12085)	am	182.70
817.526	n	(P-12085)	am	182.75
817.527	n	(P-12085)	am	182.80
817.528	n	(P-12085)	am	182.85
817.529	n	(P-12085)	am	182.90
817.530	n	(P-12085)	am	182.95
817.531	n	(P-12085)	am	183.00
817.532	n	(P-12085)	am	183.05
817.533	n	(P-12085)	am	183.10
817.534	n	(P-12085)	am	183.15
817.535	n	(P-12085)	am	183.20
817.536	n	(P-12085)	am	183.25
817.537	n	(P-12085)	am	183.30
817.538	n	(P-12085)	am	183.35
817.539	n	(P-12085)	am	183.40
817.540	n	(P-12085)	am	183.45
817.541	n	(P-12085)	am	183.50
817.542	n	(P-12085)	am	183.55
817.543	n	(P-12085)	am	183.60
817.544	n	(P-12085)	am	183.65
817.545	n	(P-12085)	am	183.70
817.546	n	(P-12085)	am	183.75
817.547	n	(P-12085)	am	183.80
817.548	n	(P-12085)	am	183.85
817.549	n	(P-12085)	am	183.90
817.550	n	(P-12085)	am	183.95
817.551	n	(P-12085)	am	184.00
817.552	n	(P-12085)	am	184.05
817.553	n	(P-12085)	am	184.1

SAI-13

ILLINOIS REGISTER

Volume 18, Issue #35	SECTIONS AFFECTED INDEX	Sept. 2, 1994
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(Title 38, con't)

1075-2175	n	(E-7016)(P-9858)	170.431	am	(P-9106)	200.40	am	(P-22)
TITLE 41								
140.2	am	(P-12696)	170.440	am	(P-9106)	200.60	am	(P-22)
140.8	am	(P-12696)	170.441	n	(P-9106)	200.70	am	(P-22)
140.11	am	(P-12696)	170.442	n	(P-9106)	200.100	am	(P-22)
140.12	am	(P-12696)	170.460	am	(P-9106)	200.120	r	(P-22)
140.18	n	(P-12696)	170.470	am	(P-9106)	200.170	r	(P-22)
140.4	r	(P-12696)	170.480	am	(P-9106)	200.180	r	(P-22)
140.50	am	(P-12696)	170.481	n	(P-9106)	200.200	r	(P-22)
140.55	am	(P-12696)	170.490	am	(P-9106)	200.230	r	(P-22)
140.60	am	(P-12696)	170.500	am	(P-9106)	200.240	r	(P-22)
140.65	am	(P-12696)	170.510	am	(P-9106)	200.250	r	(P-22)
140.70	am	(P-12696)	170.520	am	(P-9106)	200.260	r	(P-22)
140.80	am	(P-12696)	170.530	am	(P-9106)	200.270	r	(P-22)
140.90	am	(P-12696)	170.540	am	(P-9106)	200.280	r	(P-22)
140.130	am	(P-12696)	170.541	n	(P-9106)	200.290	r	(P-22)
140.140	am	(P-12696)	170.542	n	(P-9106)	200.300	r	(P-22)
140.150	am	(P-12696)	170.543	n	(P-9106)	200.310	r	(P-22)
140.160	am	(P-12696)	170.544	n	(P-9106)	200.320	r	(P-22)
140.170	am	(P-12696)	170.545	n	(P-9106)	200.330	r	(P-22)
140.180	am	(P-12696)	170.560	am	(P-9106)	200.340	am	(P-22)
140.185	am	(P-12696)	170.570	am	(P-9106)	TITLE 44		
140.220	am	(P-12696)	170.580	am	(P-9106)	650.10	n	(P-3208-A-9478)
140.225	n	(P-12696)	170.590	am	(P-9106)	650.10	n	(P-3208-A-9478)
140.230	n	(P-12696)	170.600	am	(P-9106)	650.40	n	(P-3208-A-9478)
140.232	am	(P-12696)	170.620	am	(P-9106)	650.50	n	(P-3208-A-9478)
140.234	am	(P-12696)	170.630	am	(P-9106)	650.60	n	(P-3208-A-9478)
140.236	am	(P-12696)	170.640	am	(P-9106)	650.70	n	(P-3208-A-9478)
140.238	n	(P-12696)	170.650	am	(P-9106)	650.80	n	(P-3208-A-9478)
140.240	n	(P-12696)	170.660	am	(P-9106)	650.90	n	(P-3208-A-9478)
140.250	r	(P-12696)	170.670	am	(P-9106)	650.100	n	(P-3208-A-9478)
140.305	am	(P-12696)	170.671	n	(P-9106)	650.110	n	(P-3208-A-9478)
140.390	am	(P-12696)	170.672	n	(P-9106)	650.120	n	(P-3208-A-9478)
140.400	am	(P-12696)	170.673	n	(P-9106)	650.130	n	(P-3208-A-9478)
140.420	n	(P-12696)	170.700	r/n	(P-9106)	650.140	n	(P-3208-A-9478)
170.10	am	(P-9106)	170.705	n	(P-9106)	650.150	n	(P-3208-A-9478)
170.20	r	(P-9106)	170.710	n	(P-9106)	650.160	n	(P-3208-A-9478)
170.40	r	(P-9106)	170.720	n	(P-9106)	650.170	n	(P-3208-A-9478)
170.41	am	(P-9106)	170.730	n	(P-9106)	650.180	n	(P-3208-A-9478)
170.50	r	(P-9106)	170.740	n	(P-9106)	650.190	n	(P-3208-A-9478)
170.65	r	(P-9106)	170.750	n	(P-9106)	650.200	n	(P-3208-A-9478)
170.66	r	(P-9106)	170.760	n	(P-9106)	650.210	n	(P-3208-A-9478)
170.70	r	(P-9106)	170.770	n	(P-9106)	650.320	n	(P-3208-A-9478)
170.71	r	(P-9106)	170.780	n	(P-9106)	650.340	n	(P-3208-A-9478)
170.72	r	(P-9106)	170.790	n	(P-9106)	650.350	n	(P-3208-A-9478)
170.76	r	(P-9106)	170.800	am	(P-9106)	650.360	n	(P-3208-A-9478)
170.90	r	(P-9106)	170.810	am	(P-9106)	650.40	n	(P-3208-A-9478)
170.100	r	(P-9106)	170.820	am	(P-9106)	650.40	n	(P-3208-A-9478)
170.105	r	(P-9106)	170.830	am	(P-9106)	650.40	n	(P-3208-A-9478)
170.106	r	(P-9106)	170.840	am	(P-9106)	650.40	n	(P-3208-A-9478)
170.107	r	(P-9106)	170.850	am	(P-9106)	650.40	n	(P-3208-A-9478)
170.108	r	(P-9106)	170.860	am	(P-9106)	650.40	n	(P-3208-A-9478)
170.109	r	(P-9106)	170.870	am	(P-9106)	650.40	n	(P-3208-A-9478)
170.110	am	(P-9106)	170.880	am	(P-9106)	650.40	n	(P-3208-A-9478)
170.120	am	(P-9106)	170.900	am	(P-9106)	6500.260	am	(P-1527/93/A-1886)
170.200	am	(P-9106)	170.910	am	(P-9106)	6500.310	am	(P-9106)
170.400	am	(P-9106)	170.920	am	(P-9106)	TITLE 47		
170.410	n	(P-9106)	170.930	n	(P-9106)	160.10	am	(P-15747/93/A-5163)
170.412	n	(P-9106)	170.940	n	(P-9106)	160.30	am	(P-15747/93/A-5163)
170.420	am	(P-9106)	170.1000	n	(P-9106)	160.40	am	(P-15747/93/A-5163)
170.421	n	(P-9106)	170.1100	n	(P-9106)	160.50	am	(P-15747/93/A-5163)
170.422	n	(P-9106)	170.1200	n	(P-9106)	160.60	am	(P-15747/93/A-5163)
170.423	n	(P-9106)	170.1300	n	(P-9106)	160.70	am	(P-15747/93/A-5163)
170.424	n	(P-9106)	170.140	n	(P-9106)	160.80	am	(P-15747/93/A-5163)
170.425	n	(P-9106)	200.5	am	(P-22)	280.101	am	(P-8293)
170.426	n	(P-9106)	200.10	am	(P-22)	280.102	am	(P-8293)
170.427	am	(P-9106)	200.20	am	(P-22)	280.103	am	(P-8293)
170.430	am	(P-9106)	200.30	am	(P-22)	280.104	am	(P-8293)

SAI-14

TITLE 77		(Title 77, con't)		Volume 18, Issue #35		SECTIONS AFFECTED INDEX		Sept. 2, 1994	
100.1	am	(P-12153/93;A-5980)	300,140	am	(P-12205/93;A-1491)	340,1510	n	(E-10391/P-12955)	n
100.2	am	(P-12153/93;A-5980)	300,160	am	(P-12205/93;A-1491)	340,1520	n	(E-10391/P-12955)	n
100.3	am	(P-12153/93;A-5980)	300,170	am	(P-12205/93;A-1491)	340,1530	n	(E-10391/P-12955)	n
100.4	am	(P-12153/93;A-5980)	300,200	am	(P-11873)	340,1540	n	(E-10391/P-12955)	n
100.5	am	(P-12153/93;A-5980)	300,282	am	(P-12205/93;A-1491)	340,1560	n	(E-10391/P-12955)	n
100.6	am	(P-12153/93;A-5980)	300,330	am	(P-11873)	340,1570	n	(E-10391/P-12955)	n
100.7	am	(P-12153/93;A-5980)	300,630	am	(P-11873)	340,1580	n	(E-10391/P-12955)	n
100.8	am	(P-12153/93;A-5980)	300,680	am	(P-11873)	340,1590	n	(E-10391/P-12955)	n
100.9	am	(P-12153/93;A-5980)	300,684	n	(P-11873)	340,1600	n	(E-10391/P-12955)	n
100.10	am	(P-12153/93;A-5980)	300,686	n	(P-11873)	340,1610	n	(E-10391/P-12955)	n
100.11	am	(P-12153/93;A-5980)	300,1030	am	(P-4961)	340,1620	n	(E-10391/P-12955)	n
100.12	am	(P-12153/93;A-5980)	300,1040	am	(P-11873)	340,1630	n	(E-10391/P-12955)	n
100.13	am	(P-12153/93;A-5980)	300,1210	am	(P-11873)	340,1700	n	(E-10391/P-12955)	n
100.14	am	(P-12153/93;A-5980)	300,1620	am	(P-11873)	340,1710	n	(E-10391/P-12955)	n
100.15	am	(P-12153/93;A-5980)	300,3260	am	(P-4961)	340,1720	n	(E-10391/P-12955)	n
100.16	am	(P-12153/93;A-5980)	300,3270	am	(P-11873)	340,1730	n	(E-10391/P-12955)	n
100.17	am	(P-12153/93;A-5980)	300,330	am	(P-11873)	340,1800	n	(E-10391/P-12955)	n
100.18	am	(P-12153/93;A-5980)	300,360	am	(P-11873)	340,1810	n	(E-10391/P-12955)	n
100.19	am	(P-12153/93;A-5980)	330,120	am	(P-12168/93;A-1475)	340,1820	n	(E-10391/P-12955)	n
205.115	am	(P-6653)	330,140	am	(P-12168/93;A-1475)	340,1830	n	(E-10391/P-12955)	n
205.118	am	(P-6653)	330,150	am	(P-12168/93;A-1475)	340,1840	n	(E-10391/P-12955)	n
205.120	am	(P-6653)	330,160	am	(P-12168/93;A-1475)	340,1850	n	(E-10391/P-12955)	n
205.125	am	(P-6653)	330,270	am	(P-11829)	340,1910	n	(E-10391/P-12955)	n
205.130	am	(P-6653)	330,330	am	(P-11829)	340,1920	n	(E-10391/P-12955)	n
205.140	am	(P-6653)	330,730	am	(P-4942)	340,1930	n	(E-10391/P-12955)	n
205.350	am	(P-1641/93;A-11939)	330,1145	am	(P-11829)	340,1940	n	(E-10391/P-12955)	n
205.620	am	(P-6653)	330,1150	am	(P-11829)	340,1950	n	(E-10391/P-12955)	n
205.1400	am	(P-6653)	330,1165	am	(P-11829)	340,1960	n	(E-10391/P-12955)	n
205.1740	am	(P-6653)	330,1220	am	(P-11829)	340,2000	n	(E-10391/P-12955)	n
205.1750	am	(P-6653)	330,282	am	(P-4942)	340,2010	n	(E-10391/P-12955)	n
205.1760	am	(P-6653)	330,282	am	(P-11829)	340,2020	n	(E-10391/P-12955)	n
205.1780	am	(P-6653)	330,282	am	(P-11829)	340,2030	n	(E-10391/P-12955)	n
205.1790	am	(P-6653)	340,1010	am	(E-10391/P-12955)	340,2040	n	(E-10391/P-12955)	n
205.1790	am	(P-6653)	340,1110	am	(E-10391/P-12955)	340,2050	n	(E-10391/P-12955)	n
210.1800	n	(RM-13152)	340,1120	am	(E-10391/P-12955)	340,2060	n	(E-10391/P-12955)	n
210.2900	n	(M-13152)	340,1130	am	(E-10391/P-12955)	340,2070	n	(E-10391/P-12955)	n
245.40	am	(P-46)	340,1140	am	(E-10391/P-12955)	340,2080	n	(E-10391/P-12955)	n
250.110	am	(P-46)	340,1150	am	(E-10391/P-12955)	340,2090	n	(E-10391/P-12955)	n
250.120	am	(P-46)	340,1160	am	(E-10391/P-12955)	340,2100	n	(E-10391/P-12955)	n
250.315	am	(P-46)	340,1170	am	(E-10391/P-12955)	340,2110	n	(E-10391/P-12955)	n
250.450	am	(P-46)	340,1180	am	(E-10391/P-12955)	340,2120	n	(E-10391/P-12955)	n
250.510	am	(P-15757/93;A-11945)	340,1210	am	(E-10391/P-12955)	340,2130	n	(E-10391/P-12955)	n
250.520	am	(P-15757/93;A-11945)	340,1220	am	(E-10391/P-12955)	340,2140	n	(E-10391/P-12955)	n
250.530	am	(P-15757/93;A-11945)	340,1230	am	(E-10391/P-12955)	340,2150	n	(E-10391/P-12955)	n
250.540	am	(P-15757/93;A-11945)	340,1240	am	(E-10391/P-12955)	340,2160	n	(E-10391/P-12955)	n
250.550	am	(P-15757/93;A-11945)	340,1250	am	(E-10391/P-12955)	340,2170	n	(E-10391/P-12955)	n
250.1820	am	(P-46)	340,1260	am	(E-10391/P-12955)	340,2180	n	(E-10391/P-12955)	n
250.1830	am	(P-46)	340,1300	am	(E-10391/P-12955)	340,2190	n	(E-10391/P-12955)	n
250.2450	am	(P-46)	340,1310	am	(E-10391/P-12955)	340,2200	n	(E-10391/P-12955)	n
270.1000	am	(P-9654/93;A-2424)	340,1320	am	(E-10391/P-12955)	340,2210	n	(E-10391/P-12955)	n
270.1050	am	(P-9654/93;A-2424)	340,1330	am	(E-10391/P-12955)	340,2220	n	(E-10391/P-12955)	n
270.1100	am	(P-9654/93;A-2424)	340,1340	am	(E-10391/P-12955)	340,2230	n	(E-10391/P-12955)	n
270.1200	am	(P-9654/93;A-2424)	340,1350	am	(E-10391/P-12955)	340,2240	n	(E-10391/P-12955)	n
270.1300	am	(P-9654/93;A-2424)	340,1360	am	(E-10391/P-12955)	340,2250	n	(E-10391/P-12955)	n
270.1400	am	(P-9654/93;A-2424)	340,1370	am	(E-10391/P-12955)	340,2260	n	(E-10391/P-12955)	n
270.1500	am	(P-9654/93;A-2424)	340,1400	am	(E-10391/P-12955)	340,2270	n	(E-10391/P-12955)	n
270.1600	am	(P-9654/93;A-2424)	340,1410	am	(E-10391/P-12955)	340,2280	n	(E-10391/P-12955)	n
270.1700	am	(P-9654/93;A-2424)	340,1420	am	(E-10391/P-12955)	340,2290	n	(E-10391/P-12955)	n
270.1800	am	(P-9654/93;A-2424)	340,1430	am	(E-10391/P-12955)	340,2300	n	(E-10391/P-12955)	n
270.1900	am	(P-9654/93;A-2424)	340,1440	am	(E-10391/P-12955)	340,2310	n	(E-10391/P-12955)	n
270.2000	am	(P-9654/93;A-2424)	340,1450	am	(E-10391/P-12955)	340,2320	n	(E-10391/P-12955)	n
270.2100	am	(P-9654/93;A-2424)	340,1460	am	(E-10391/P-12955)	340,2330	n	(E-10391/P-12955)	n
270.2200	am	(P-9654/93;A-2424)	340,1470	am	(E-10391/P-12955)	340,2340	n	(E-10391/P-12955)	n
270.2300	am	(P-9654/93;A-2424)	340,1480	am	(E-10391/P-12955)	340,2350	n	(E-10391/P-12955)	n
300.120	am	(P-12205/93;A-1491)	340,1500	am	(E-10391/P-12955)	340,2360	n	(E-10391/P-12955)	n

(Title 77, con't)	594.440	n	(P-8572)	600.700	r	(P-14831/93;A-4422)
390.640 am (P-4924)	594.300	n	(P-8572)	600.710	r	(P-14831/93;A-4422)
390.1040 am (P-11771)	596.10	n	(P-3086/A-11971)	600.720	r	(P-14831/93;A-4422)
390.1310 am (P-11771)	596.20	n	(P-3086/A-11971)	600.740	r	(P-14831/93;A-4422)
390.1312 n (P-11771)	596.30	n	(P-3086/A-11971)	600.800	r	(P-14831/93;A-4422)
390.1314 n (P-11771)	596.40	n	(P-3086/A-11971)	600.810	r	(P-14831/93;A-4422)
390.1316 n (P-11771)	596.100	n	(P-3086/A-11971)	600.820	r	(P-14831/93;A-4422)
390.1320 am (P-11771)	596.110	n	(P-3086/A-11971)	600.830	r	(P-14831/93;A-4422)
390.1330 am (P-11771)	596.120	n	(P-3086/A-11971)	600.900	r	(P-14831/93;A-4422)
390.1420 am (P-12128/93;A-1453)	596.130	n	(P-3086/A-11971)	600.910	r	(P-14831/93;A-4422)
390.2660 am (P-4924)	596.140	n	(P-3086/A-11971)	600.930	r	(P-14831/93;A-4422)
390.3260 am (P-11771)	596.200	n	(P-3086/A-11971)	600.1000	r	(P-14831/93;A-4422)
420.1 r (P-103)	596.210	n	(P-3086/A-11971)	600.1010	r	(P-14831/93;A-4422)
420.2 r (P-103)	596.220	n	(P-3086/A-11971)	600.1020	r	(P-14831/93;A-4422)
420.10 r (P-103)	596.230	n	(P-3086/A-11971)	600.1030	r	(P-14831/93;A-4422)
420.20 r (P-103)	596.240	n	(P-3086/A-11971)	600.1100	r	(P-14831/93;A-4422)
420.30 r (P-103)	596.300	n	(P-3086/A-11971)	600.1110	r	(P-14831/93;A-4422)
420.40 r (P-103)	596.310	n	(P-3086/A-11971)	600.1120	r	(P-14831/93;A-4422)
420.50 r (P-103)	596.320	n	(P-3086/A-11971)	600.1130	r	(P-14831/93;A-4422)
420.60 r (P-103)	596.330	n	(P-3086/A-11971)	600.1140	r	(P-14831/93;A-4422)
420.61 r (P-103)	596.340	n	(P-3086/A-11971)	600.1150	r	(P-14831/93;A-4422)
505.10 n (P-13631/93;A-533)	597.10	am	(P-8590)	600.1160	r	(P-14831/93;A-4422)
505.20 n (P-13631/93;A-533)	597.110	am	(P-8590)	600.1170	r	(P-14831/93;A-4422)
505.30 n (P-13631/93;A-533)	597.200	am	(P-8590)	600.1200	r	(P-14831/93;A-4422)
505.40 n (P-13631/93;A-533)	597.220	am	(P-8590)	600.1210	r	(P-14831/93;A-4422)
505.50 n (P-13631/93;A-533)	597.320	am	(P-8590)	600.1220	r	(P-14831/93;A-4422)
505.60 n (P-13631/93;A-533)	598.10	n	(P-3077/A-11931)	600.1300	r	(P-14831/93;A-4422)
540.220 n (P-12101/93;A-2620)	598.20	n	(P-3077/A-11931)	600.1310	r	(P-14831/93;A-4422)
547.100 n (P-95/A-6340)	598.30	n	(P-3077/A-11931)	600.1400	r	(P-14831/93;A-4422)
547.200 n (P-95/A-6340)	598.100	n	(P-3077/A-11931)	600.1410	r	(P-14831/93;A-4422)
547.300 n (P-95/A-6340)	598.110	n	(P-3077/A-11931)	600.1450	r	(P-14831/93;A-4422)
547.400 n (P-95/A-6340)	598.120	n	(P-3077/A-11931)	600.1500	r	(P-14831/93;A-4422)
547.500 n (P-95/A-6340)	598.130	n	(P-3077/A-11931)	600.1600	r	(P-14831/93;A-4422)
547.600 n (P-95/A-6340)	598.140	n	(P-3077/A-11931)	600.1610	r	(P-14831/93;A-4422)
547.700 n (P-95/A-6340)	598.140	n	(P-3077/A-11931)	610.100	n	(P-14824/93;A-4310)
593.10 n (P-11352/93;A-11987)	600.100	r	(P-14806/93;A-4276)	610.110	n	(P-14824/93;A-4310)
593.20 n (P-11352/93;A-11987)	600.110	r	(P-14831/93;A-4422)	610.210	n	(P-14824/93;A-4310)
593.30 n (P-11352/93;A-11987)	600.120	r	(P-14806/93;A-4276)	610.200	n	(P-14824/93;A-4310)
593.100 n (P-11352/93;A-11987)	600.130	r	(P-14831/93;A-4422)	610.110	n	(P-14824/93;A-4310)
593.110 n (P-11352/93;A-11987)	600.140	r	(P-14806/93;A-4276)	610.210	n	(P-14824/93;A-4310)
593.120 n (P-11352/93;A-11987)	600.150	r	(P-14831/93;A-4422)	610.200	n	(P-14824/93;A-4310)
593.130 n (P-11352/93;A-11987)	600.200	r	(P-14806/93;A-4276)	610.300	n	(P-14824/93;A-4310)
593.140 n (P-11352/93;A-11987)	600.210	r	(P-14831/93;A-4422)	610.310	r	(P-14824/93;A-4310)
593.200 n (P-11352/93;A-11987)	600.220	r	(P-14806/93;A-4276)	610.320	n	(P-14824/93;A-4310)
593.210 n (P-11352/93;A-11987)	600.230	r	(P-14831/93;A-4422)	615.100	n	(P-17798/93;A-4320)
593.220 n (P-11352/93;A-11987)	600.240	r	(P-14806/93;A-4276)	615.120	n	(P-17798/93;A-4320)
593.230 n (P-11352/93;A-11987)	600.250	r	(P-14831/93;A-4422)	615.130	r	(P-17798/93;A-4320)
593.240 n (P-11352/93;A-11987)	600.300	r	(P-14806/93;A-4276)	614.140	r	(P-17798/93;A-4320)
594.10 n (P-8572)	600.300	r	(P-14831/93;A-4422)	615.320	n	(P-17798/93;A-4320)
594.20 n (P-8572)	600.310	r	(P-14806/93;A-4276)	615.330	r	(P-17798/93;A-4320)
594.30 n (P-8572)	600.320	r	(P-14831/93;A-4422)	615.200	n	(P-17798/93;A-4320)
594.100 n (P-8572)	600.330	r	(P-14806/93;A-4276)	615.220	n	(P-17798/93;A-4320)
594.110 n (P-8572)	600.340	r	(P-14831/93;A-4422)	615.230	n	(P-17798/93;A-4320)
594.120 n (P-8572)	600.400	r	(P-14806/93;A-4276)	615.310	n	(P-17798/93;A-4320)
594.130 n (P-8572)	600.410	r	(P-14831/93;A-4422)	615.320	n	(P-17798/93;A-4320)
594.140 n (P-8572)	600.420	r	(P-14806/93;A-4276)	615.330	r	(P-17798/93;A-4320)
594.150 n (P-8572)	600.500	r	(P-14831/93;A-4422)	615.340	n	(P-17798/93;A-4320)
594.200 n (P-8572)	600.510	r	(P-14806/93;A-4276)	615.350	r	(P-17798/93;A-4320)
594.210 n (P-8572)	600.600	r	(P-14831/93;A-4422)	615.360	r	(P-17798/93;A-4320)
594.220 n (P-8572)	600.610	r	(P-14806/93;A-4276)	615.370	r	(P-17798/93;A-4320)
594.230 n (P-8572)	600.620	r	(P-14831/93;A-4422)	615.380	r	(P-17798/93;A-4320)
594.240 n (P-8572)	600.630	r	(P-14806/93;A-4276)	615.390	r	(P-17798/93;A-4320)
594.300 n (P-8572)	600.640	r	(P-14831/93;A-4422)	615.400	r	(P-17798/93;A-4320)
594.400 n (P-8572)	600.650	r	(P-14806/93;A-4276)	615.410	r	(P-17798/93;A-4320)
594.510 n (P-8572)	600.660	r	(P-14831/93;A-4422)	615.420	r	(P-17798/93;A-4320)
594.620 n (P-8572)	600.670	r	(P-14806/93;A-4276)	615.430	r	(P-17798/93;A-4320)
594.430 n (P-8572)	600.680	r	(P-14831/93;A-4422)	615.440	r	(P-17798/93;A-4320)

(Title 86, con't)

120.10

nm

(P-1789, A-12849)

102.235

n

(P-15461/93, A-273)

114.456

nm

(P-19443/93, A-3436)

120.455

n

(P-6684)

102.240

nm

(P-15461/93, A-273)

114.466

nm

(P-19443/93, A-3436)

130.901

nm

(P-15501/93, A-1537)

102.250

nm

(P-15461/93, A-273)

115.10

nm

(P-9346)

130.905

nm

(P-15501/93, A-1537)

104.101

nm

(P-21283/93, A-11260)

115.30

nm

(P-9346)

130.2007

nm

(P-982)

104.104

nm

(P-21283/93, A-11260)

115.40

nm

(P-9346)

140.801

nm

(P-15515/93, A-1550)

104.209

nm

(P-12613)

117.10

nm

(P-21158/93, A-3746)

140.1415

nm

(P-15515/93, A-1550)

104.211

nm

(P-12613)

117.54

nm

(P-22007/93, A-7403)

150.1001

nm

(P-15527/93, A-1584)

104.221

nm

(P-12613)

120.20

nm

(P-23231/93, A-8718)

150.1415

nm

(P-15527/93, A-1584)

104.244

nm

(P-12613)

120.30

nm

(P-13392/93, A-2051)

160.140

nm

(P-15529/93, A-1574)

111.120

nm

(P-22262/93, A-7009)

120.318

nm

(P-21266/93, A-5934)

432.110

nm

(P-41101, A-12539)

111.101

nm

(P-22262/93, A-7009)

120.324

r,n

(P-21266/93, A-5934)

432.3110

nm

(P-4117, A-11636)

111.101

nm

(P-18764/93, A-2029)

120.325

r,n

(P-21266/93, A-5934)

435.120

nm

(P-4105, A-11629)

112.70

nm

(P-2753, A-10774)

120.326

n

(P-21266/93, A-5934)

435.120

nm

(P-4105, A-11629)

112.70

nm

(P-2753, A-10774)

120.327

n

(P-21266/93, A-5934)

500.101

re

(A-4451)

112.71

nm

(P-11461)

120.382

nm

(P-4063, A-11231)

500.102

re

(A-4451)

112.71

nm

(P-2753, A-10774)

120.386

nm

(P-4063, A-11231)

500.103

re

(A-4451)

112.72

nm

(P-2753, A-10774)

121.27

n

(P-18425/93, A-2033)

500.105

re

(A-4451)

112.74

nm

(P-2753, A-10774)

121.28

n

(P-18425/93, A-2033)

500.110

re

(A-4451)

112.76

nm

(P-2753, A-10774)

121.29

n

(P-18425/93, A-2033)

500.115

re

(A-4451)

112.77

nm

(P-2753, A-10774)

121.29

n

(P-18425/93, A-2033)

500.120

re

(A-4451)

112.78

nm

(P-2753, A-10774)

121.58

nm

(P-4575, A-12829)

500.125

re

(A-4451)

112.81

nm

(P-11461)

121.63

nm

(P-6251)

500.130

re

(A-4451)

112.79

nm

(P-2753, A-10774)

121.70

nm

(P-6251)

500.135

re

(A-4451)

112.80

nm

(P-2753, A-10774)

121.72

nm

(P-6251)

500.140

re

(A-4451)

112.81

nm

(P-2753, A-10774)

121.70

nm

(P-16405/93, A-3427)

500.145

re

(A-4451)

112.82

nm

(P-2753, A-10774)

121.74

nm

(P-16405/93, A-3427)

500.150

re

(A-4451)

112.83

nm

(P-7208)

121.174

nm

(P-18425/93, A-2033)

500.155

re

(A-4451)

112.84

nm

(P-2753, A-10774)

121.82

nm

(P-2178, A-8921)

500.160

re

(A-4451)

112.84

nm

(P-2753, A-10774)

121.88

nm

(E-2509)

500.165

re

(A-4451)

112.85

nm

(P-2753, A-10774)

121.88

nm

(P-21991/93, A-8921)

500.170

re

(A-4451)

112.98

nm

(P-2753, A-10774)

140.2

nm

(P-18436/93, A-3620)

500.175

re

(A-4451)

112.110

nm

(P-4546, A-12805)

140.3

nm

(P-18768/93, A-5778)

500.180

re

(A-4451)

112.130

nm

(P-19436/93, A-5909)

140.12

nm

(P-18436/93, A-3620)

500.185

re

(A-4451)

112.131

nm

(P-19436/93, A-5909)

140.24

nm

(P-5951)

500.190

re

(A-4451)

112.140

nm

(P-2578, A-8703)

140.27

nm

(P-5951)

500.195

re

(A-4451)

112.141

nm

(P-19436/93, A-5909)

140.40

nm

(P-18436/93, A-3620)

500.200

re

(A-4451)

112.142

nm

(P-19436/93, A-5909)

140.71

nm

(P-17736/93, A-3620)

500.205

re

(A-4451)

112.143

nm

(P-19436/93, A-5909)

140.80

nm

(P-17736/93, A-3620)

500.210

re

(A-4451)

112.144

nm

(P-19436/93, A-5909)

140.82

nm

(P-17736/93, A-3620)

500.215

re

(A-4451)

112.147

nm

(P-19436/93, A-5909)

140.84

nm

(P-17736/93, A-3620)

500.220

re

(A-4451)

112.151

nm

(P-19436/93, A-5909)

140.400

nm

(P-18436/93, A-3620)

500.225

re

(A-4451)

112.155

nm

(P-4546, A-12805)

140.413

nm

(P-18436/93, A-3620)

500.230

re

(A-4451)

112.252

nm

(P-22447/93, A-6994)

140.420

nm

(O-12068)

500.235

re

(A-4451)

112.254

nm

(P-22447/93, A-6994)

140.421

nm

(P-15444/93, A-4250)

700.100

n

(P-16421/93, A-1561)

112.300

nm

(P-2587, A-8703)

140.440

nm

(P-4597)

700.110

n

(P-16421/93, A-1561)

112.302

nm

(P-19436/93, A-5909)

140.442

nm

(P-4597)

700.200

n

(P-16421/93, A-1561)

112.350

nm

(P-19436/93, A-5909)

140.460

nm

(P-18436/93, A-3620)

700.210

n

(P-16421/93, A-1561)

112.352

nm

(P-19436/93, A-5909)

140.461

nm

(P-18436/93, A-3620)

700.220

n

(P-16421/93, A-1561)

112.354

nm

(P-19436/93, A-5909)

140.462

nm

(P-18436/93, A-3620)

700.300

nm

(P-9394)

112.356

nm

(P-19436/93, A-5909)

140.464

nm

(P-18436/93, A-3620)

700.310

nm

(P-16421/93, A-1561)

113.113

nm

(P-4562, A-12818)

140.464

nm

(P-18436/93, A-3620)

700.320

nm

(P-16421/93, A-1561)

113.141

nm

(P-4562, A-12818)

140.469

nm

(P-19017/93, A-4250)

700.330

nm

(P-16421/93, A-1561)

113.155

nm

(P-13809/93, A-2018)

140.485

nm

(P-19017/93, A-4250)

700.340

nm

(P-16421/93, A-1561)

113.253

nm

(P-21982/93, A-7759)

140.514

nm

(P-19017/93, A-4250)

700.400

nm

(P-16421/93, A-1561)

114.210

nm

(P-4586, A-12839)

140.523

nm

(P-18436/93, A-3620)

700.500

n

(P-16421/93, A-1561)

114.235

nm

(P-19443/93, A-3436)

140.535

nm

(P-18436/93, A-3620)

750.300

nm

(P-6112)

114.241

nm

(P-19443/93, A-3436)

140.538

nm

(P-18436/93, A-3620)

750.400

nm

(P-6112)

114.243

nm

(P-19443/93, A-3436)

140.578

nm

(P-18436/93, A-3620)

750.900

nm

(P-6112)

114.251

nm

(P-4586, A-12839)

140.643

nm

(P-18436/93, A-3620)

750.900

nm

(P-6112)

114.251

nm

(P-22308/93, A-7390)

140.645

nm

(P-18436/93, A-3620)

102.25

nm

(P-2602, A-8938)

140.850

r

(P-9286)

102.200

nm

(P-15461/93, A-273)

140.855

r

(P-9286)

102.210

nm

(P-15461/93, A-273)

140.860

r

(P-9286)

102.220

nm

(P-15461/93, A-273)

140.865

r

(P-9286)

102.230

nm

(P-15461/93, A-273)

140.865

r

(P-9286)

102.230

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(P-15461/93, A-273)

140.865

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(P-15461/93, A-273)

140.865

r

(P-9286)

102.230

nm

(P

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Title 80, con't)

1650.230	am	(P-22487/93/A-6349)		315.50	n	(P-20293/A-676)		590.10	am	(P-2720/A-11518)		
1650.340	am	(P-22487/93/A-6349)		315.60	n	(P-20293/A-676)		735.70	am	(P-12483/93/A-4146)		
1650.440	am	(P-22487/93/A-6349)		315.70	n	(P-20293/A-676)		735.10	am	(P-937)		
1650.450	am	(P-22487/93/A-6349)		315.70	am	(P-937/A-10692)		735.121	am	(P-6386/93/A-6164)		
1650.460	am	(P-22487/93/A-6349)		315.20	am	(P-937/A-10692)		735.130	am	(P-927)		
1650.520	am	(P-22487/93/A-6349)		315.210	am	(P-937/A-10692)		735.130	am	(P-6099-C-12065)		
1650.560	am	(P-22487/93/A-6349)		315.250	am	(P-937/A-10692)				(P-13053)		
1650.620	am	(P-22487/93/A-6349)		315.270	am	(P-937/A-10692)		770.20	am	(P-6099-C-12065)		
1650.640	am	(P-22487/93/A-6349)		315.280	r	(P-937/A-10692)				(P-13053)		
1650.650	am	(P-22487/93/A-6349)		315.411	r	(P-4490)		770.30	am	(P-6099-C-12065)		
2650.1	am	(RC-3151)		315.418	n	(P-4490)				(P-13053)		
2650.10	am	(RC-3151)		315.420	n	(P-937/A-10692)		770.40	n	(P-6099-C-12065)		
2650.15	am	(RC-3151)		315.430	am	(P-937/A-10692)				(P-13053)		
2650.25	am	(RC-3151)		315.450	r	(P-937/A-10692)		770.50	n	(P-6099-C-12065)		
2650.30	am	(RC-3151)		315.1020	r	(P-937/A-10692)				(P-13053)		
2650.40	n	(RC-3151)		315.1080	r	(P-937/A-10692)		770.60	n	(P-6099-C-12065)		
2650.50	n	(RC-3151)		315.4118	n	(P-4490)				(P-13053)		
2650.60	n	(RC-3151)		315.4119	n	(P-4490)		772.10	n	(P-7156)		
2650.70	am	(RC-3151)		315.2010	n	(P-937/A-10692)		772.20	n	(P-7156)		
2700.110	am	(P-19755/93/A-7224)		315.2070	n	(P-937/A-10692)		772.30	n	(P-7156)		
2700.200	am	(P-19755/93/A-7224)		315.2110	n	(P-937/A-10692)		772.35	n	(P-7156)		
2700.320	am	(P-19755/93/A-7224)		315.2140	n	(P-937/A-10692)		772.40	am	(P-7156)		
2700.410	am	(P-19755/93/A-7224)		315.4390	am	(P-937/A-10692)		772.45	n	(P-7156)		
2700.420	am	(P-19755/93/A-7224)		315.4390	am	(P-937/A-10692)		772.50	n	(P-7156)		
2700.430	am	(P-19755/93/A-7224)		315.4390	am	(P-937/A-10692)		772.55	n	(P-7156)		
2700.440	am	(P-19755/93/A-7224)		315.4390	am	(P-937/A-10692)		772.60	n	(P-7156)		
2700.450	am	(P-19755/93/A-7224)		315.4390	am	(P-937/A-10692)		772.70	n	(P-7156)		
2700.600	am	(P-19755/93/A-7224)		315.4390	am	(P-937/A-10692)		772.80	n	(P-7156)		
2700.630	am	(P-19755/93/A-7224)		315.4390	am	(P-937/A-10692)		772.90	n	(P-7156)		
2700.640	am	(P-19755/93/A-7224)		315.4390	am	(P-937/A-10692)		772.100	n	(P-7156)		
2700.650	am	(P-19755/93/A-7224)		315.4390	am	(P-937/A-10692)		772.120	n	(P-7156)		
2700.670	am	(P-19755/93/A-7224)		315.4390	am	(P-937/A-10692)		772.130	n	(P-7156)		
2700.700	am	(P-19755/93/A-7224)		315.4390	am	(P-937/A-10692)		772.140	n	(P-7156)		
2700.710	am	(P-19755/93/A-7224)		315.4390	am	(P-937/A-10692)		772.150	n	(P-7156)		
2700.720	am	(P-19755/93/A-7224)		315.4390	am	(P-937/A-10692)		780.5	n	(P-6147)		
2700.730	am	(P-19755/93/A-7224)		315.4390	am	(P-937/A-10692)		780.10	n	(P-6147)		
2700.740	am	(P-19755/93/A-7224)		315.4390	am	(P-937/A-10692)		780.100	n	(P-6147)		
2700.750	am	(P-19755/93/A-7224)		315.1080	r	(P-937/A-10692)		780.110	n	(P-6147)		
2700.760	am	(P-19755/93/A-7224)		315.2010	n	(P-937/A-10692)		780.120	n	(P-6147)		
2700.780	am	(P-19755/93/A-7224)		315.2070	n	(P-937/A-10692)		790.130	n	(P-6147)		
2700.820	am	(P-19755/93/A-7224)		315.2110	n	(P-937/A-10692)		790.200	n	(P-6147)		
2700.Ex.B	am	(P-19755/93/A-7224)		315.2140	n	(P-937/A-10692)		790.210	n	(P-6147)		
2700.Ex.C	am	(P-19755/93/A-7224)		315.4390	am	(P-937/A-10692)		790.220	n	(P-6147)		
2700.Ex.D	am	(P-19755/93/A-7224)		315.4390	am	(P-937/A-10692)		790.230	n	(P-6147)		
2700.Ex.E	am	(P-19755/93/A-7224)		315.1	r	(P-6081)		790.240	n	(P-6147)		
2700.Ex.F	am	(P-19755/93/A-7224)		315.15	r	(P-6081)		790.300	n	(P-6147)		
2800.100	am	(P-12567)		315.100	r	(P-6081)		792.10	n	(P-11988/93/A-1919)		
2800.230	am	(P-12567)		315.110	r	(P-6081)		792.20	n	(P-11988/93/A-1919)		
2800.235	am	(P-12567)		315.115	r	(P-6081)		792.30	n	(P-11988/93/A-1919)		
2800.240	am	(P-12567)		315.120	r	(P-6081)		792.40	n	(P-11988/93/A-1919)		
2800.260	am	(P-12567)		315.200	r	(P-6081)		792.50	n	(P-11988/93/A-1919)		
2800.600	am	(P-12567)		315.205	r	(P-6081)						
2800.700	am	(P-12567)		315.210	r	(P-6081)						
				315.220	r	(P-6081)						
				315.300	r	(P-6081)						
				315.305	r	(P-6081)						
				315.310	r	(P-6081)						
				315.320	r	(P-6081)						
				315.330	r	(P-6081)						
				315.340	r	(P-6081)						
				315.350	r	(P-6081)						
				315.360	r	(P-6081)						
				315.400	r	(P-6081)						
				315.410	r	(P-6081)						
				315.500	r	(P-6081)						
				315.510	r	(P-6081)						
				315.515	r	(P-6081)						
				315.520	r	(P-6081)						
				315.530	r	(P-6081)						
				315.540	r	(P-6081)						
				315.550	r	(P-6081)						
				315.560	r	(P-6081)						
				315.570	r	(P-6081)						
				315.580	r	(P-6081)						
				315.590	r	(P-6081)						
				315.600	r	(P-6081)						
				315.610	r	(P-6081)						
				315.620	r	(P-6081)						
				315.630	r	(P-6081)						
				315.640	r	(P-6081)						
				315.650	r	(P-6081)						
				315.660	r	(P-6081)						
				315.670	r	(P-6081)						
				315.680	r	(P-6081)						
				315.690	r	(P-6081)						
				315.700	r	(P-6081)						
				315.710	r	(P-6081)						
				315.720	r	(P-6081)						
				315.730	r	(P-6081)						
				315.740	r	(P-6081)						
				315.750	r	(P-6081)						
				315.760	r	(P-6081)						
				315.770	r	(P-6081)						
				315.780	r	(P-6081)						
				315.790	r	(P-6081)						
				315.800	r	(P-6081)						
				315.810	r	(P-6081)						
				315.820	r	(P-6081)						
				315.830	r	(P-6081)						
				315.840	r	(P-6081)						
				315.850	r	(P-6081)						
				315.860	r	(P-6081)						
				315.870	r	(P-6081)						
				315.880	r	(P-6081)						
				315.890	r	(P-6081)						
				315.900	r	(P-6081)						
				315.910	r	(P-6081)						
				315.920	r	(P-6081)						
				315.930	r	(P-6081)						
				315.940	r	(P-6081)						
				315.950	r	(P-6081)						
				315.960	r	(P-6081)						
				315.970	r	(P-6081)						
				315.980	r	(P-6081)						
				315.990	r	(P-6081)						
				316.000	r	(P-6081)						
				316.010	r	(P-6081)						
				316.020	r	(P-6081)						
				316.030	r	(P-6081)						
				316.040	r	(P-6081)						
				316.050	r	(P-6081)						
				316.060	r	(P-6081)						
				316.070	r	(P-6081)						
				316.080	r	(P-6081)						
				316.090	r	(P-6081)						
				316.100	r	(P-6081)						
				316.110	r	(P-6081)						
				316.120	r	(P-6081)						
				316.130	r	(P-6081)						
				316.140	r	(P-6081)						
				316.150	r	(P-6081)						
				316.160	r	(P-6081)						
				316.170	r	(P-6081)						
				316.180	r	(P-6081)						
				316.190	r	(P-6081)						
				316.200	r	(P-6081)						

SAI-23

Kenneth L. Loefer